

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

(12)

Dated 9.9.1993

OA No. 2734/91

Ram Kishan & 12 others	Applicants
OA 3043/91 Hari Mohan & 24 others	Applicants
OA 331/92 Komal Singh & 26 Ors.	Applicants
OA 816/92 Ram Charan & 15 others	Applicants
OA 2210/92 Amar Pal Singh & 7 Ors.	Applicants.

Vs.

Union of India & Ors.	Respondents.
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Shri V.P. Sharma, Counsel for applicants in OA 331/92  
Shri Ramesh Ga utam, Counsel for respondents

In rest of the cases - Shri V.P. Sharma for applicants

Shri Jagjit Singh & Shri Shyam Moorjani for  
Shri Ramesh Ga utam - Respondents.

CORAM

1. Hon'ble Mr. Justice J.P. Sharma, Member (J)
2. Hon'ble Mr. B.K. Singh, Member (A)

JUDGMENT (ORAL)

(delivered by Hon'ble Mr. Justice J.P. Sharma, Member (J))

In OA-2734/91 (Ram Kishan & 12 Ors.), OA-3043 (Hari Mohan & 24 ors.), OA-331/92 (Komal Singh & 26 ors.), OA-816/92 (Ram Charan & 15 ors.) and OA-2210/92 (Amar Pal Singh & 7 ors.) all these applicants have filed these applications separately while they were working as coal unloading labourers in the Loco Shed, Western Railway, at the Railway Station Jaipur-Bandakui. Since the common question of fact and law is involved / almost the same issue, these applications are being disposed of by a common judgment.

2. The applicants in all these applications have claimed similar relief that the respondents be directed to re-engage the applicants in preference to the juniors till the regularisation of their services.

3. We heard the learned counsels of the parties and perused the records. The respondents in some of the above-mentioned original applications have filed short reply annexing a note of the policy decision regarding the coal unloading labourers (R-I). The scheme prepared by the respondents for engagement of casual labourers is subject to the following stipulations:-

- i) Such of the contract labour will be engaged as casual labour who have worked as such for at least 120 days during the preceding two years as on 1.7.92;
- ii) Their engagement as casual labour will only be considered in Mechanical Deptt. on the Railway as a whole, depending upon the requirements;
- iii) The casual labour to be so engaged have to satisfy the prescribed age limits namely 18-28 years. Upper age limits may be relaxed to the extent of engagement as piece-rated contract labour; and
- iv) Once engaged as casual labour, they will be governed by instructions as applicable to casual labour.

We have heard both the counsels at length. The learned counsel for the respondents has also referred to the decision in earlier OA No. 581/88 passed by the Jodhpur Bench and another judgment passed in OA 2685/91 decided by the Principal Bench by the order dated 16th July 1992.

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informed and addressed and directed action against the

defendants will first be taken and no action will be taken

The learned counsel for the applicant Shri V.P. Sharma

stated that the applicants are satisfied with the scheme and now no  
grievance survives to them.

In the above facts and circumstances, all the applications are  
disposed of with the direction to the respondents to implement the  
scheme, they have annexed with the reply and give benefit if the  
applicants are covered under that scheme.

**Costs on parties.**

(B.K. Singh ) ( J.P. Sharma )  
A.M. J.M.

VPC

True Copy  
Attested

Om Singh  
9/9/12

PRITAM SINGH  
Court Officer  
Central Administrative Tribunal  
Principal Bench  
Faridkot House, New Delhi