

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH NEW DELHI

O.A. No. 3129/92  
MA-3415/94

O.A. No. 2739/91  
M.A. No. 3895/94

New Delhi, dated the 11th December, 1994.

GORAM

Hon'ble Shri N.V. Krishnan, Vice Chairman (A)  
Hon'ble Smt. Lakshmi Swaminatha, Member (J)

OA No. 3129/92

Shri Sumer Singh s/o Sh. Nand Lal  
R/o H.Block H.No. 270,  
Sulatan Puri, Delhi

... Applicant

(By Advocate Shri M.K. Gaur, proxy  
counsel for Shri V.P. Sharma)

V/s

1. Union of India through the Genl. Manager,  
Northern Railway, Bareda House,  
New Delhi.
2. The Divisional Rly Manager,  
Northern Railway, Bikaner.
3. The Assistant Engineer,  
Northern Railway, Sirsa (Haryana)

... Respondents

(By Advocate Shri A.K. Singh, proxy counsel  
for Shri Romesh Gautam )

OA-No. 2739/91

1. Shri Indraj s/o Shri Samshu
2. Shri Banwari " Shri Ruda
3. Shri Ram Kumar Shri Dhanda
4. Shri Matadin " Shri Omkar
5. Shri Rat Ram " Shri Ram Swarup
6. Shri Sant Ram" Shri Deega Ram

Q

7. Shri Nahd S/o Shri Binja Nath
8. Shri Amar Singh s/o Sh. Kalyan Sahai
9. Shri Ramji Lal s/o Shri Bhore Lal
10. Shri Ramesh s/o Shri Ram Swarup
11. Shri Sohan Lal s/o Shri Bhura Ram
12. Shri Ganpat s/o Shri Hanuman
13. Shri Rameshwar s/o Shri Ballu
14. Shri Sona s/o Shri Mala

(L)

... Applicants

All were working as C/Labourers Gangman under  
1-4 P.W.I(Gopper) Dabala Nagar, Project work.  
5-7 P.W.I.(Copper) Khetri Nagar, Project work  
8-10 Asstt.Engineer, Bandikui  
11-14 : Assistant Engineer, Fulera.

(By Advocate Shri M.K.Gaur, proxy counsel  
for Shri V.P.Sharma counsel for the  
applicant)

Versus

1. Union of India through the Genl.Manager  
Western Railway, Churchgate, Bombay.
2. The Divisional Rly.Manager,  
Western Railway, Jaipur.
3. The Assistant Engineer, Western Railway,  
Bandikui.
4. The Assistant Engineer, Western Railway,  
Ambala.

... Respondents

(By Advocate Shri A.K.Singh, proxy counsel  
for Shri Romesh Gautam, counsel for the  
respondents)

ORDER (ORAL)

(Hon'ble Shri N.V. Krishnan, Vice Chairman(A))

When the matter came up today, learned  
counsel for the parties agreed that these OAs can be  
disposed of on the basis of the order in the OA No.2441/91  
decided on 26-5-1994. Accordingly these OAs are being  
disposed of.

U

2. These OAs are being disposed of by this common order with the consent of the parties.

(X)

3. The grievance of the applicants are similar. They had been engaged as casual labourers by the Railways for some time. Thereafter the Railways discontinued the engagement. The applicants have prayed that railway should be directed to consider the applicants for regularisation of their services in preference to the junior and they should be further directed to engage the applicants in preference to juniors in case of need for such engagement has arises before regularisation.

4. A similar matter Net Ram and others V/s Genl. Manager (WR) (OA No.2441/91) was decided on 26-5-1994. The applicants have filed MAs in both these OAs requesting that the OA may also be disposed of on this line. That prayer is not opposed.

5. In view of this submission, we are of the view that these OAs now be disposed of with similar directions as in the earlier case of Net Ram & Others (Supra)

6. Accordingly, these OAs are ~~disposed~~ <sup>disposed</sup> of with a direction to the respondents to include the names of the applicant in the Live Casual Labour Register if they are eligible for such inclusion in terms of the circular No.220E/190-XIX-A/RIV dated 28-8-87 of the General Manager, Northern Railway (referred to in Net Ram's judgement) and give engagement to the applicants

u

as casual labourers if and when the need arises, in accordance with their seniority in that Register. It is made clear that in order to enable the respondents to take such action, the applicants, <sup>to show</sup> to submit representations to the competent authority, within one month from the date date of receipt of this order, alongwith proof relating to the claim that they are entitled to be included in the Live Casual Labour Register. ~~and~~ In case such representations are received, the respondents are directed to dispose them of, in accordance with law, within a further period of three months thereafter under intimation to the applicants.

7. Applicants have filed MAs for disposal of this OA in accordance with the judgment of Net Ram's case and thus the same have become infructuous and stand disposed of accordingly.

8. Original order should be kept in OA No. 3129/92. and copy thereof be kept in other OA.

9. The respondents' counsel is entitled to fee in each case separately.

Lakshmi Swaminathan  
(Lakshmi Swaminathan)

Member (J)

N.V. Krishnan  
2-12-PM  
(N.V. Krishnan )  
Vice Chairman (A)