

(17)

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH.

New Delhi this the 10th day of October, 1994.

Shri N.V. Krishnan, Vice Chairman(A).

Smt. Lakshmi Swaminathan, Member(J).

- 1) M.A. 3431/94  
    &  
    O.A. 2892/92.

Amar Singh  
S/o Shri Ghisa Ram,  
R/o C-2B, Jugi Johpadi No.248,  
Janakpuri,  
New Delhi.

..Applicant.

By Advocate Shri Yogesh Sharma, proxy for Shri  
.P. Sharma, Counsel.

Versus

1. Union of India through  
The General Manager,  
Western Railway,  
Bombay.
2. The Secretary,  
Railway Board,  
Rail Bhawan,  
New Delhi.
3. The Divisional Railway Manager,  
Northern Railway,  
Jaipur.
4. The Station Superintendent,  
Northern Railway Station,  
Narnaul (Haryana).

..Respondents.

None for the respondents.

- 2) M.A. 3432/94  
    &  
    O.A. 33/93.

Shanker Dayal,  
S/o Shri R.N. Tiwari,  
C/o Sanjay Salt Suppliers,  
A-3 Sarai Piple Thala,  
Extn. G.T. Road,  
Adarsh Nagar,  
Delhi.

..Petitioner.

By Advocate Shri Yogesh Sharma, proxy for Shri  
V.P. Sharma, Counsel.

Versus

1. Union of India through  
The General Manager,  
Northern Railway, Baroda House,  
New Delhi.

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2. The Divisional Railway Manager,  
Northern Railway,  
Bikaner.

3. The Assistant Engineer,  
Northern Railway,  
Delhi Junction.

...Respondents.

None for the respondents.

3) M.A. 3433/94  
&  
O.A. 2688/91.

Kailash  
S/o Shri Ram Nath,  
199, Krishana Nagar,  
Rewari (Har).

...Petitioner.

By Advocate Shri Yogesh Sharma, proxy for Shri  
V.P. Sharma, Counsel.

Versus

1. Union of India through  
The General Manager,  
Western Railway,  
Churchgate,  
Bombay.

2. The Divisional Railway Manager,  
Western Railway,  
Ajmer.

3. The Chief Telecom Inspector,  
Western Railway,  
Ajmer (Raj).

...Respondents

By Advocate Shri P.S. Mahendru.

4) M.A. 3434/94  
&  
O.A. 2860/92.

Ram Swaroop,  
S/o Nanak Ram,  
C/o Mohan Lal, Badam Pura,  
Gali No. 41, Karol Bagh,  
New Delhi.

...Petitioner.

By Advocate Shri Yogesh Sharma, proxy for Shri  
V.P. Sharma, Counsel.

Versus

1. Union of India through  
The General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.

2. The Divisional Railway Manager,  
Northern Railway,  
Jodhpur.

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3. The P.W.I.  
Northern Railway,  
Kuchaman Road,  
(Raj)

...Respondents.

By Advocate Shri P.S. Mahendru.

- 5) M.A. 3435/94  
&  
O.A. 156/93.

1. Sokat Ali,  
S/o Shri Gulab Khan.
2. Jagdish Parshad,  
S/o Shri Raghunath Parshad.

(Both R/o Jhuggi Jhopdi No. 482,  
Janakpuri, New Delhi).

...Petitioner.

By Advocate Shri Yogesh Sharma, proxy for Shri  
V.P. Sharma, Counsel.

Versus

1. Union of India through  
The General Manager,  
Western Railway,  
Churchgate,  
Bombay.
2. The Divisional Railway Manager,  
Western Railway,  
Jaipur.
3. The Carriage Foreman,  
Western Railway, Carriage Dept,  
Jaipur (Raj).
4. The Carriage Foreman(Store),  
Western Railway,  
Kikar (Raj).

...Respondents.

None for the respondents.

- 6) M.A. 3436/94  
&  
O.A. 3279/92

1. Ramesh Chander  
S/o Shri Ladu Ram.
2. Laxmi Narain  
S/o Shri Sarvan Kumar.
3. Om Parkash,  
S/o Shri Chothmal.

(All R/o C/o 30RD, Hira Park(New)  
Najafgarh, New Delhi).

...Petitioners.

By Advocate Shri Yogesh Sharma, proxy for Shri  
V.P. Sharma, Counsel.

Versus

1. Union of India through  
The General Manager,  
Western Railway,  
Churchgate,  
Bombay.

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2. The Secretary,  
Railway Board, Rail Bhawan,  
New Delhi.
3. The Divisional Railway Manager,  
Western Railway,  
Jaipur.
4. The Loco Foreman (Fuel),  
Western Railway,  
Jaipur. ...Respondents.

None for the respondents.

- 7) M.A. 3437/94  
&  
O.A. 2375/91.

Ramesh  
S/o Shri Manohar,  
Vill&PO - Manharu,  
Bhiwani (Haryana). ...Petitioner.

By Advocate Shri Yogesh Sharma, proxy for Shri  
V.P. Sharma, Counsel.

Versus

1. Union of India through  
The General Manager,  
Northern Railway, Baroda House,  
New Delhi.
2. The Divisional Railway Manager,  
Northern Railway,  
Bikaner. ...Respondents.

None for the respondents.

- 8) M.A. 3440/94  
&  
O.A. 242/93

Om Parkash,  
S/o Shri Surja Ram,  
R/o 80K, Puran Nagar,  
Palam Colony,  
New Delhi. ...Petitioner.

By Advocate Shri Yogesh Sharma, proxy for Shri  
V.P. Sharma, Counsel.

Versus

1. Union of India through  
The General Manager,  
Northern Railway, Baroda House,  
New Delhi.
2. The Divisional Railway Manager,  
Northern Railway,  
Bikaner.
3. The C.D.O.,  
Northern Railway,  
Delhi Sarah Rohiela Railway Station,  
Delhi. ...Respondents.

None for the respondents.

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9) M.A. 3441/94  
&  
O.A. 3270/92.

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Satish Chander  
S/o Shri Harish Chander,  
R/o 2474/190, Tri Nagar,  
New Delhi.

...Petitioner.

By Advocate Shri Yogesh Sharma, proxy for Shri  
V.P. Sharma, Counsel.

Versus

1. Union of India through  
The General Manager,  
Western Railway,  
Church Gate,  
Bombay.
2. The Divisional Railway Manager,  
Western Railway, Kota Division,  
Kota.
3. The P.W.I.,  
Railway Electrification,  
Western Railway,  
Kota.
4. The Secretary,  
Railway Board, Rail Bhawan,  
New Delhi.

...Respondents.

None for the respondents.

✓ 10) M.A. 3458/94  
O.A. 3216/92.

1. Bharat Lal  
S/o Shri Ratan Lal.
2. Ganesh Lal  
S/o Shri Bhanwar Lal.
3. Bhanwar,  
S/o Shri Chothu Ram.

(C/o H.No. 141, Vill-Dhanas,  
Najafgarh, New Delhi).

...Petitioners.

By Advocate Shri Yogesh Sharma, proxy for Shri  
V.P. Sharma, Counsel.

Versus

1. Union of India through  
The General Manager,  
Western Railway,  
Churchgate,  
Bombay.
2. The Secretary,  
Railway Board, Rail Bhawan,  
New Delhi.
3. The Divisional Railway Manager,  
Western Railway,  
Jaipur Division,  
Jaipur.

...Respondents.

✓ By Advocate Shri Romesh Gautam.

11) M.A. 3459/94  
&  
O.A. 2744/92.

Rajesh Tiwari  
S/o Shri Hira Lal,  
R/o H.No. 9776, Ahta Thakur Das,  
Sarah Rohilla,  
New Rohtak Road,  
New Delhi.

...Petitioner.

By Advocate Shri Yogesh Sharma, proxy for Shri  
V.P. Sharma, Counsel.

Versus

1. Union of India through  
The General Manager,  
Western Railway,  
Churchgate,  
Bombay.
2. The Divisional Railway Manager,  
Western Railway,  
Ajmer (Raj).
3. The Inspector of Works(C) MW,  
Western Railway, Ajmer Dn.  
Ajmer (Raj). ...Respondents.

By Advocate Shri P.S. Mahendru.

12) M.A. 3460/94  
&  
O.A. 2571/91.

1. Moti Singh S/o Shri Bhanwar Singh.
2. Jaswant S/o Shri Chiranjii.
3. Udai Singh S/o Shri Ghisa Ram.
4. Rati Ram S/o Shri Bisamber Dayal.
5. Sumar Singh S/o Shri Partap Singh.
6. Ranjit Singh S/o Shri Bisamber Dayal.
7. Inder Singh S/o Shri Phalad Singh.
8. Amar Singh S/o Shri Sardar Singh.
9. Hanuman Singh S/o Shri Bhoor Singh.
10. Bhata Ram S/o Shri Bhagwan Singh.
11. Ram Chander S/o Shri Sawant Singh.
12. Madan Singh S/o Shri Sawant Singh.

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13. Jagmal Singh S/o Shri Desan Singh.
14. Sher Singh S/o Shri Durga Parshad.
15. Prabhu S/o Shri Chandra.
16. Puran S/o Shri Sawant.
17. Ram Swarup S/o Shri Ranbeer.
18. Surat Singh S/o Shri Chajju Ram.
19. Raja Ram S/o Shri Ram Swarup.
20. Mangage S/o Shri Dara Singh.
21. Balwant S/o Shri Ram Swarup.
22. Changga S/o Shri Phoola Ram.
23. Kirpal S/o Shri Matadin.
24. Umad S/o Shri Kalu.
25. Yad Ram S/o Shri Pala Ram.
26. Rohtas S/o Shri Bhagwana.
27. Narpat Singh S/o Shri Bhawan Singh.
28. Mohan Singh S/o Shri Bhawar Singh.
29. Dharam Singh S/o Shri Umrao.
30. Roshan Singh S/o Shri Chaturfhuji.
31. Purana S/o Shri Dadan Singh.
32. Birbal S/o Shri Pala.
33. Sardar Singh S/o Shri Chaturfuj.
34. Ram Niwas S/o Shri Singh Ram.
35. Ruda S/o Shri Sheopal.
36. Shri Ram S/o Shri Ramu.
37. Rahman S/o Shri Muneer.
38. Jagmal Singh S/o Shri Chaturbuj.
39. Mahbub S/o Shri Sunada.
40. Hazari S/o Shri Chandra.
41. Umrao S/o Shri Alladeen.
42. Om Parkash S/o Shri Ram Narain.
43. Sajjan S/o Shri Chattu.
44. Sheo Ram S/o Shri Mam Chand

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45. Shoe Ram S/o Shri Prabhati Ram.
46. Jagdish S/o Shri Mahada.
47. Chottu S/o Shri Zutha.
48. Khayali Ram S/o Shri Birbal.
49. Suresh S/o Shri Parbhati.
50. Lila S/o Shri Chiranji.
51. Ram Kumar S/o Shri Madu.

(All were working as Casual Labour Gangman in C.T.R. under P.W.I. Ateli, which is under Assistant Engineer, Alwar in Western Railway )

52. Ghasi Ram S/o Shri Ruda.
53. Ghisa Ram S/o Shri Govinda.
54. Dhuda S/o Shri Ram Lal.
55. Hanuman S/o Shri Har Nath.

(All were working as Casual Labour Gangmen in CTR, under PWI W. Rly. Kawant, which is under Assistant Engineer, Western Railway, Alwar (Raj). ..Petitioners.

By Advocate Shri Yogesh Sharma, proxy for Shri V.P. Sharma, Counsel.

Versus

1. Union of India through  
The General manager,  
Western Railway,  
Churchgate,  
Bombay.
2. The Divisional Railway Manager,  
Western Railway,  
Jaipur.
3. The Assistant Engineer,  
Western Railway,  
Alwar (Raj). ...Respondents.

None for the respondents.

13) M.A. 3462/94  
&  
O.A. 3048/91.

1. Mandrup Singh S/o Shri Anney Singh.
2. Saitan Singh S/o Shri Suraj Bhan Singh.
3. Sukan Singh S/o Shri Mangtoo Singh.
4. Pirthavi Singh S/o Shri Suraj Bhan Singh.
5. Ranjeet Singh S/o Shri Anney Singh.

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6. Bhanwar Singh S/o Shri Sagar Singh.
7. Saitan Singh S/o Shri Bhanwar Singh.
8. Thakaria S/o Shri Ram Kumar.
9. Banwari S/o Shri Basir.
10. Leela S/o Shri Bhagwana.
11. Bhagmat S/o Shri Sheodan.
12. Gurdial S/o Shri Sri Ram.
13. Hari S/o Shri Bhiwa.
14. Hans Raj S/o Shri Dayal Ram.
15. Vijay Singh S/o Shri Mool Singh.
16. Ganpat S/o Shri Ram Karan.
17. Siya Ram S/o Shri Mala Ram.
18. Jabala Ram S/o Shri Nanak Ram.
19. Ramotar S/o Shri Lachha Ram.
20. Mahabir Singh S/o Shri Rood singh.

(All were working as Casual Labour Gangman under PWI Western Railway, Ateli which is under Assistant Engineer Alwar).

...Petitioners.

By Advocate Shri Yogesh Sharma, proxy for Shri V.P. Sharma, Counsel.

Versus

1. Union of India through  
The General Manager,  
Western Railway, Churchgate,  
Bombay.
2. The Divisional Railway Manager,  
Western Railway,  
Jaipur.
3. The Secretary,  
Railway Board, Rail Bhawan,  
New Delhi.
4. The Assistant Engineer,  
Western Railway  
Alwar (Raj.).

...Respondents.

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None for the respondents.

ORDER (ORAL)

Shri N.V. Krishnan.

All these cases are being taken up for disposal with the consent of the parties, as the issues involved are similar. The applicants were casual labourers in the Railways and after being engaged for some time they were disengaged. They, therefore, filed these O.As for a direction to the respondents to consider the regularisation of their service, in preference to the juniors and to further direct the respondents to reengage them in preference to their juniors until they are regularised for work on a casual basis.

2. The learned counsel for the parties submit that a similar matter has already been disposed of by this Bench in O.A. 2441/91 on 26.3.94 - Net Ram & Others Vs. G.M. Western Railway & Others. They request that these cases may also be disposed of on the same lines.

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

4. Accordingly, these OAs are disposed of with a direction to the respondents to include the names of the applicants 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 28.8.1987 of the General Manager, Northern Railway (referred to in Net Ram's judgement) and give engagement to the applicants as casual labourers if and when the need arises, in accordance

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with their seniority in that register. It is made clear that in order to enable the respondents to take such action, the applicants to submit representations to the competent authority within one month from the date of receipt of this order along with 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.

5. The O.As are disposed of, as above.
6. As an order has been passed in these cases, these M.As have become infructuous.
7. Shri P.S. Mahendru, learned counsel for the respondents, would be entitled to fees in O.As 2688/91, 2860/92 and 2744/92 while Shri Romesh Gautam, learned counsel for the respondent, would be entitled to fee in O.A. No. 3216/92.
8. The original copy of this order shall be placed in O.A. 2892/92 and copies should be kept in each of the other O.As.

(SMT. LAKSHMI SWAMINATHAN)  
MEMBER(J)

'SRD'

(N.V. KRISHNAN)  
VICE CHAIRMAN(A)

*True Copy  
Attested*

*Pratim Singh*

PRATIM SINGH

Central

Faridkot

10/10/94