Central Administrative Tribunal
Principal Bench: New Delhi

(17)

1. MA-3329/94
OA-187/92

New Delhi this the 27th Day of September, 1994.

Sh. N.V. Krishnan, Vice-Chairman (A)
Smt. Lakshmi Swaminathan, Member (J)

1. Madho Singh
2. Suresh
3. Jage Ram
4. Chajju
5. Ramavtar ...Applicants

(By Advocate Sh. V.P. Sharma)

Versus

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

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

3. The Secretary, Ministry of Railways,
Railway Board, Rail Bhawan, New Delhi.

4. The Assistant Engineer,
Western Railway, Alwar. (Raj.) ...Respondents

(None for the respondents)

2. MA-3330/94
OA-2471/92

1. Mana Ram
2. Nathu Ram
3. Sarvan Meena
4. Jhabu
5. Ramji Lal
6. Narang Ram
7. Lallu Ram
8. Bhagwan Shai
9. Babu Lal
10. Nathi Lal
11. Jagat ...Applicants

(By Advocate Sh. V.P. Sharma)

Versus

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

2. The Secretary, Railway Board,
Rail Bhawan, New Delhi.

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3. The Divisional Railway Manager,
Western Railway, Jaipur.

4. The Assistant Engineer,
Western Railway, Bankikui (Raj.) ...Respondents

(By Advocate Sh. O.N. Moolri, though none appeared)

3. MA-3331/94
OA-100/92

1. Mindu Ram Saini
2. Ram Kishore
3. Banwari Lal
4. Ramji Lal ...Applicants

(By Advocate Sh. V.P. Sharma)

Versus

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

2. The Divisional Railway Manager,
Western Railwav, Jaipur.

3. The Secretary, Ministry of Railways,
Railway Board, Rail Bhawan,
New Delhi.

4. The Station Superintendent,
Western Railway, Bandikui (Raj.) ...Respondents

(By Advocate Sh. Shyam Moorjani)

4. MA-3332/94
OA-243/92

1. Bhagwan Sahai Sharma ...Applicant

(By Advocate Sh. V.P. Sharma)

Versus

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

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

3. The Divisional Signal & Telecom Engineer,
Western Railway, Jaipur Division,
Jaipur.

4. The Secretary,
Railway Board, Rail Bhawan,
New Delhi.
...Respondents

(None for the respondents)

5. MA-3333/94
OA-68/92

1. Kishan Lal
2. Bhnori Lal
3. Chottay Lal

...Applicants

(By Advocate Sh. V.P. Sharma)

Versus

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

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

3. The Secretary, Ministry of Railways, Railway Board, Rail Bhawan, New Delhi.

4. The Chief Signal Inspector, Western Railway, Bandikui (Raj.)

...Respondents

(By Advocate Sh. Romesh Gautam)

6. MA-3334/94
OA-2450/92

1. Gandi Lal
2. Ladu Ram
3. Ramji Lal
4. Ram Kishore
5. Anandi Lal
6. Shankar
7. Prabhat
8. Jaman Lal
9. Raghunath
10. Shadu Ram
11. Radhey Shyam
12. Hanuman Shai
13. Ganga Shai
14. Ram Lal
15. Suraj Mal

...Applicants

(By Advocate Sh. V.P. Sharma)

Versus

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

2. The Secretary, Ministry of Railways, Railway Board, Rail Bhawan, New Delhi.

3. The Divisional Railway Manager, Western Railway, Jaipur.

4. The Assistant Engineer, Western Railway, Bandikui

...Respondents

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(None for the respondents)

7. MA-3335/94
OA-184/92

1. Pema
2. Chittar
3. Sultan Singh
4. Ram Swarup
5. Ram Phool
6. Bhagwan Shai
7. Narain
8. Bhana
8A Ganga Shay
9. Karan Singh
10. Ram Singh
11. Mala
12. Banwari
13. Jhabar
14. Jagdish Prasad
15. Girdhari
16. Mussa Ram
17. Thuda Ram
18. Sultan
19. Bhoma Ram
20. Ramutar
21. Jagdish
22. Amar Singh
23. Suva Ram
24. Sita Ram
25. Jumba
26. Balwant
27. Richpal
28. Ghanshyam
29. Ram Prasad
30. Gordhan
30A Meda Nath
31. Bodhu
32 Kalu
33. Ramu
34. Jhuthan Nath
35 Matadin
36 Gula

...Applicants

(By Advocate Sh. V.P. Sharma)

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

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

3. The Secretary, Ministry of Railways,
Railway Board, Rail Bhawan, New Delhi.

4. The Assistant Engineer,
Western Railway, Jaipur.

5. The Assistant Engineer (North)
Western Railway, Alwar (Raj.)

...Respondents

(None for the respondents)

8. MA-3336/94
OA-400/92

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1. Sultan
2. Kailash
3. Pribhu
4. Kurda Ram Saini
5. Mange Lal
6. Banwari
7. Ram Karain
8. Om Parkash
9. Budha
10. Rohtas
11. Ram Kishan ...Applicants

(By Advocate Sh. V.P. Sharma)

Versus

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

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

3. The Secretary, Ministry of Railways, Railway Board, Rail Bhawan, New Delhi.

4. The Assistant Engineer, Western Railway, Alwar. (Raj.) ...Respondents

(None for the respondents)

ORDER(ORAL)

Hon'ble Mr. N.V. Krishnan:-

All these 8 cases are being taken up for disposal with the consent of 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 OAs 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 re-engage them in preference to their juniors until they are regularised for work on a casual basis.

2. None appeared for the respondents in the OAs at serial No.1,4,6,7 & 8.

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

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

5. Accordingly, these OAs are disposed 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 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 to submit representations to the competent authority within one month from the 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 four months thereafter under intimation to the applicants.

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6. The MAs filed by the applicants for disposel of these OAs in accordance with thhe judgement of Net Ram's case thus have become infructuous and stand disposed of accordingly.

7. The OAs are disposed of, as above. No costs.

8. The original copy of this order shall be placed in OA-187/92 and copies should be kept in each of the other OAs.

The respondents' counsel are entitled to fee in the cases where they appeared.

(SMT. LAKSHMI SWAMINATHAN)
MEMBER(J)

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

'Sanju'

True Copy
Attested
27.9.94.