

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Review Petition No.356/93 in
OA 2937/92

New Delhi, This day of 27th September, 1994

Hon'ble Mr. Justice S.K. Bhasin, Acting Chairman
Hon'ble Mr. B.N. Dhoundiyal, Member(A)

1. Union of India through,
Secretary,
Ministry of Railways,
Rail Bhawan, New Delhi.
2. The General Manager,
Northern Railway,
Baroda House, New Delhi.
3. The Chief Administrative Officer(Construction),
Headquarters Office, Kashmiri Gate,
Northern Railway, Delhi - 6.

.... Petitioners
(By Advocate : Sh. K.K. Patel)

Versus

Sh. Bahadur Maruya aged about 22 years
S/o Sh. Brindra Prasad Maurya,
R/o 2-F, State Entry Marg, New Delhi,
working as Substutute Bunglow Khalasi

ORDER

Shri B.N. Dhoundiyal

The prayer made in the review petition is
that the order and judgement dated 15.7.1993 passed
in OA 2937/92 be set aside.

2. The petitioner was appointed as Substitute
Bunglow Khalasi attached with Chief Bridge Engineer
with effect from 24.10.1990 and 23.4.1992. He was
transferred to the bunglow of the the then Chief
Administrative Officer, Sh. V.D. Gupta. He continued
to work there till 19.11.1993 when the impugned order
terminating his services was passed. This Tribunal

3w

allowed the OA on the ground that having worked for
more than six months at the bungalow of Sh. V.D. Gupta
the applicant was entitled to temporary status.

His services could not be terminated by means of an
order simpliciter without following the due procedure.

The application was partly allowed and the impugned
order dated 19.11.1992 was quashed. However, it was
open to the authorities concerned to pass a fresh
order on merits in accordance with the law and after
following the required procedure. In the review
petition the respondents have stated that our
judgement is violative of the instructions laid down
by the Railway which lays down two years continuous
granting
service for temporary status to Bungalow Khalasi.

It may be noted that the original appointment of the
applicant as Bungalow Khalasi was on 24.10.1990 and
all that happened on 23.4.1992 was that he was
transferred to the Bungalow of another officer. He
continued to work till 19.11.1993. Even if the two
year criterion is applied, he qualifies for temporary
status. Hence, nothing will turn on the fact that
he had absented himself during part of this period.

All that our order enjoins upon the authority is
to follow the due procedure.

3. There is no merit in this review petition and
it is hereby dismissed.

B.N. Dhaundiyal
(B.N. Dhaundiyal)
Member(A)

S.K. Dhaon
(S.K. Dhaon)
Acting Chairman

/ravi/