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New Delhi, dated the 23th September, 1994

CORAM

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

Hon'ble Smt. Lakshmi Swaminathan, Member(J)

MA-3291/94

OA-824/92

1. Data Ram
2. Hazari Lal
3. Vikaram Singh
4. Rohtas
5. Sheodhan
6. Raj Pal
7. Ram Chander
8. Ram Narain
9. Jagdish
10. Dawarka Parshad
11. Chota
12. Ramoshwar
13. Madu Ram Sainis
14. Chotu Ram

.. Applicants

(By Advocate Shri V.P.Sharma)

All were working as casual labour in project work
between Debala-Singhana construction work and r/o
H.No.58/14-A, Anand Parbat, New Delhi-5

V/s

1. Union of India through the Genl Manager,
Western Railway, Churchgate, Bombay
2. The Divisional Railway Manager,
Western Railway, Jaipur.
3. The Secretary,
Railway Board, Rail Bhawan, New Delhi.
4. Chief Engineer(Project)
Western Railway, Jaipur

.. Respondents

(None for the respondents)

MA-3292/94

OA-520/92

1. Kalu
2. Harzi
3. Gopal
4. Fatehlal
5. Ram Parshad
6. Kazod
7. Chottu

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8. Laxman Singh
9. Sultan
10. Ram Swarup

...Applicants

(22)

All were working as Casual labour/Gangman under P.W. I. Malpara which is under AEN(N), Western Railway, Jaipur and r/o Delhi C/o Shri Rajender Parshad, WZ 30, Hira Park New Najafgarh, New Delhi.

(By Advocate Shri V.P.Sharma)

U/s

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

... Respondents

(None for the respondents)

MA-3292/94
DA-841/92

1. Shri Ganga Shai
2. Suraja Ram
3. Ram Karam
4. Rama Nand
5. Satya Narain
6. Bajrang
7. Man Phool
8. Satya Narain Sharma
9. Bhorrav Lal
10. Jagdish
11. Suraja
12. Sri Chand

... Applicants

All were working as casual labour/hot weatherwaterman in Jaipur Division at various Stations and at present r/o in Delhi C/o Hira Lal, H.NO.52/14-A, No.16, Anand Parbhat New Delhi

(By Advocate Shri V.P.Sharma)

V/s

1. Union of India through the Genl. Manager, Western Railway, Churchgate, Bombay
2. The Divisional Railway Manager, Western Railway, Jaipur.

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3. The Secretary,
Railway Board, Rail Bhawan, New Delhi.
4. The Divisional Personnel Officer,
Western Railway, Jaipur

... Respondents

(None for the respondents)

MA-3294/94
OA-857/92

1. Muralidhar Saini
2. Mangala Ram Saini
3. Balbir
4. Surender Kumar
5. Om Parkash
6. Jagdish

... Applicants

were

All/working at Hot weather waterman in the
Jaipur Divisiona at various station and
at present residence of 16, Nizamudeen East,
New Delhi.

(By Advocate Shri V.P.Sharma)

V/s

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

... Respondents

(none for the respondents)

ORDER (ORAL)

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

The applicants were casual labourers
in the Railways and after being engaged for some time
they were disengaged. In the circumstances, they have
filed these OAs for a direction to the respondents to
absorb him on regular basis , in preference to the
juniors and to further direct the respondents to

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re-engage them in preference to their juniors until they are regularised for work on a casual basis.

2. It is pointed out that in OA 2441/91 Net Ram and Others vs. G.M. Western Railway and Others also involved same issue that has been disposed of vide order dated 26-5-94. The prayer is that these cases may also be disposed of on the same lines. None appeared for the respondents.

3. 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).

4. 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. 220-E/190-XIX-R/RIV, dated 28.8.87 of the General Manager, Northern Railway (referred to in Net Ram's judgment) 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 should submit representations to the competent authority within one month from the date of receipt of this order along with proof relating to the claim

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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.

6. The original of this order be kept in OA No.824/92 and copies be kept in each of the other OAs.

7. These OAs are disposed of, as above.

8. MAs have been filed for disposal of the OAs on the basis of Netram's case. In view of our order they stand disposed of.

Lakshmi Swaminathan
(Lakshmi Swaminathan)

Member(J)

sk

N.V. Krishnan
(N.V. Krishnan)
23/9/94

Vice Chairman (A)

True copy sent
Murali
23/9/94