

Central Administrative Tribunal
Principal Bench: New Delhi

29

1. MA-3209/94
OA-98/92

New Delhi this the 20th Day of September, 1994.

Sh. N.V. Krishnan, Vice-Chairman (A)
Sh. T.L. Verma, Member (J)

1. Gordhan
2. Chuttan Lal
3. Tota Ram
4. Durga Singh
5. Birju Singh
6. Lila Singh
7. Kishore Singh
8. Puran Mal
9. Chet Ram
10. Ram Dhan
11. Hansa
12. Inder
13. Sher Singh
14. Midhu
15. Mohan Singh
16. Sher Singh
17. Rohtas
18. Puran Singh
19. Ram Kishore
20. Ram Parshad
21. Ram Phool
22. Ram Lal
23. Bhag Chand
24. Chajju Ram Saini
25. Gordhan
26. Laxman
27. Birbal s/o Sh. Changa Ram
28. Birbal s/o Sh. Nemi Chand
29. Ram Singh
30. Ram Swarup
31. Ghisa
32. Jagdish
33. Satbir
34. Suraj Bhan
35. Bisamber
36. Ram Karan
37. Randhir
38. Ghisa Lal
39. Bhagu
40. Har Narain
41. Mula Ram
42. Ghisa Ram
43. Om Parkash
44. Bharu
45. Sardara

...Applicants

(By Advocate Sh. Yogesh Sharma, proxy for Sh.V.P. Sharma,
Counsel)

Versus

k

30

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

(By Advocate Sh. Romesh Gautam)

2. MA-3210/94
OA-109/92

1. Lalit Kumar Bhardwaj
2. Ram Khiladi
3. Pribhu Dayal
4. Raj Ram
5. Laxman
6. Ram Gopal
7. Surgyani
8. Permanand
9. Anand Saini
10. Bhajana Ram
11. Rohtas

...Applicants

(By Advocate Sh. Yogesh Sharma, proxy for Sh. 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 Asstt. Personnel Officer
Western Railway, Jaipur.
4. The Secretary, Ministry of Railways,
Railway Board, Rail Bhawan, New Delhi.

...Respondents

(By Advocate Sh. Romesh Gautam)

3. MA-3211/94
OA-659/91

1. Banwari
2. Sheo Dhan
3. Gula Ram
4. Gulab Singh
5. Kishan Lal Saini
6. Mula
7. Gokal

...Applicants

6

(By Advocate Sh. Yogesh Sharma, proxy for Sh. 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 Divisional Personnel Officer,
Western Railway, Jaipur. (Raj.)
4. MA-3212/94
OA-2655/91

...Respondents

1. Har Dayal
2. Sita Ram
3. Ram Sawrup
4. Hari Singh
5. Ram Dayal
6. Rameshwar Parshad
7. Lallu
8. Ram Chander
9. Ram Dhan
10. Kalu
11. Ramji Lal
12. Lacchi Ram
13. Chotta
14. Panna

...Applicants

(By Advocate Sh. Yogesh Sharma, proxy for Sh. 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 Loco Foreman,
Loco Shed, Western Railway, Bandikui.
4. The Assistant Engineer,
Western Railway, Bandikui

...Respondents

(By Advocate Sh. Romesh Gautam)

5. MA-3213/94
OA-2733/91

1. Mukha Ram
2. Ramji Lal
3. Bhagwan Sahai Verma
4. Bhajan Lal
5. Sri Ram
6. Jaimal

CC

32

7. Hari Ram
8. Data Ram
- 9.. Hanuman Parshad
10. Ramavtar
11. Dhokal
12. Sawant
13. Bhadur
14. Har Phool
15. Phool Chand
16. Santa Ram
17. Jeeta Ram
18. Kheru

...Applicants

(By Advocate Sh. Yogesh Sharma, proxy for Sh 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.

...Respondents

(By Advocate Sh. Romesh Gautam)

6. MA-3214/94
OA-2650/91

1. Smt. Santoshi Devi
2. Nathi Devi w/o Sh. Suraja Ram
3. Smt. Mani Devi
4. Smt. Nathi Devi w/o Sh. Kishan Lal
5. Budh Ram
6. Shankar
7. Sardara
8. Rameshwar
9. Banwari
10. Suraja Ram
11. Ram Kanwar
12. Bhagirath
13. Rameshwar
14. Balu
15. Budh Ram

...Applicants

(By Advocate Sh. Yogesh Sharma, proxy for Sh. 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.

6

33

3. The Asstt. Engineer,
Western Railway, Alwar (Raj)

...Respondents

(By Advocate Sh. Romesh Gautam)

7. MA-3215/94
OA-101/92

1. Hira Lal
2. Ram Niwas
3. Lichman
4. Shankar
5. Dhuda Ram
6. Banwari
7. Bhan Singh
8. Ram Kumar
9. Ram Naresh
10. Chajju
11. Hari Ram
12. Mazidkhan
13. Bansi
14. Jai Narain
15. Bholu Ram
16. Budh Ram
17. Ram Kumar
18. Amar Singh

...Applicants

(By Advocate Sh. Yogesh Sharma, Proxy for Sh. V.P. Sharma,
Counsel).

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

(By Advocate Sh. Romesh Gautam)

ORDER(ORAL)

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

All these 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

6

further direct the respondents to re-engage them in preference to their juniors until they are regularised for work on a casual basis. (mk)

2. 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.

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.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 three months thereafter under intimation to the applicants.

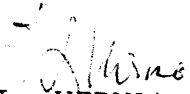
u

35

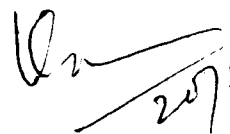
5. The OAs are disposed of, as above. No costs.

6. A copy of this order should be kept in each of these OAs.

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


(T.L. VERMA)
MEMBER (J)

'SRD'


22/9/84
(N.V. KRISHNAN)
VICE-CHAIRMAN