

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

MA 3392/94

OA 124/93

New Delhi this the 29th Day of November, 1994.

HON'BLE MR JUSTICE S.K. DHAON, VICE CHAIRMAN (J)
HON'BLE MR B.K. SINGH, MEMBER (A)

Shri Murari,
S/o Shri Bhassoo
Ex-Gangman under P.W.I. Amrola,
228, Block A, Janakpuri,
NEW DELHIApplicant

(By Advocate : Shri B.K. Batra)

VERSUS

1. Union of India, through
General Manager,
Northern Railway,
Headquarter Officer
Baroda House,
NEW DELHI.
2. Divisional Railway Manager,
Northern Railway,
Moradabad.
3. Assistant Engineer,
Northern Railway,
Hapur. Respondents

(By Advocate : Shri Rajesh)

JUDGEMENT (ORAL)

Mr Justice S.K. Dhaon, Vice Chairman (J)

The material averments in the O.A. are these. The applicant worked as a Casual Labour Gangman from 16.12.74 to 14.12.1985.

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in broken periods. He having worked for more than 120 days acquired a temporary status. For the purpose of absorption in regular service, he had undergone a Medical Examination. He was declared unfit in categories A-3 to B-1. However, he was declared fit in Category of C-1 without glasses. On account of non-availability of job his services were terminated. The prayer, in main, is that the respondents may be directed to provide him with an alternative job.

2. A Counter-affidavit has been filed by the respondents. It is averred that in the list of men decategorised the name of the applicant appeared at Serial No.9. It is stated at the Bar by the learned counsel for the respondents that the applicant will be given a suitable employment from the said list, if and when, his turn comes. This should satisfy the applicant.

3. The learned counsel for the applicant has stated at the Bar that the applicant is a Scheduled Caste. However, we do not find any such averment in the O.A. If

the applicant is given a job, the authorities concerned shall examine the question as to whether he is a Scheduled Caste or not. If it comes to the conclusion that he is, in fact, a Scheduled Caste, he should be given all the benefits which are available to a member of the Scheduled Caste. With this direction the O.A. is disposed of but without any order as to costs.

(B.K. SINGH)
MEMBER (A)

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(S.K. DHAON)
VICE CHAIRMAN (J)

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