

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.
MA.26/95 and OA.1210/93

Dated this the 28th day of February, 1995.

Shri N.V. Krishnan, Hon. Vice Chairman(A)
Dr. A. Vedavalli, Hon. Member(J)

Jagdish Parshad,
S/o Shri Prabhati,
R/o Kashyap Material Supplies,
A-4, Palam Road, Sagarpur, New Delhi. ...Applicant

By Advocate: Shri V.P. Sharma by Shri M.K. Gaur.

versus

1. Union of India through
The General Manager,
Western Railway,
Churgate, Bombay.
2. The Divisional Railway Manager,
Western Railway, Jaipur.
3. The Permanent Way Inspector,
Western Railway, Alwer (Raj.) ...Respondents

By Advocate: Shri Shyam Moorjani by Shri U.Srivastava.

O R D E R (Oral)
(By Shri N.V. Krishnan)

The applicant was a casual labour under the Railways who, after being engaged for some time, was disengaged. He seeks a relief that, on the basis of the Railway Board's circular dated 11.9.86 and 28.8.87, a direction may be issued to the respondents to reengage the applicant in service and to regularise him after reengagement and also put him in the seniority list in preference to his juniors.

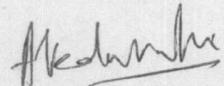
2. A similar matter OA.2441/91 Net Ram and others versus General Manager and others has been disposed of on 26.5.94. MA.26/95 has been filed by the applicant to dispose of this case also similarly. As the parties agree that this OA can also be disposed of in terms of that order, we proceed to do so.

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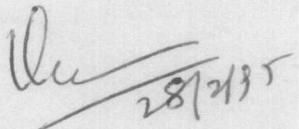
(b)

3. We dispose of this OA by granting permission to the applicant to file, within one month from the date of receipt of this order, a self contained representation giving the full particulars of his service, along with proof thereof, as also proof regarding his claim that he is entitled to the benefit of the above circulars and to have his name entered in the Live Casual Labour Register maintained by the Railways, as mentioned in the Northern Railway circular memorandum dated 28.8.87 referred to, in para-16 of the judgement in Net Ram's case. In case such a representation is received, the respondents are directed to dispose of the same under intimation to the applicant, within a period of two months from the date of receipt of the representation in accordance with provision of law and keeping in view the provisions of the above circulars. In case, the applicant's name is included in the Live Casual Labour Register, his case for regularisation may be considered in accordance with law on the basis of his seniority in that Register. Further, if the need to engage any casual labour arises, his name should be considered in accordance with his seniority in preference to his juniors and outsiders.

4. The OA is disposed of accordingly.



(Dr. A. Vedavalli)
Member(J)



(N.V. Krishnan)
Vice Chairman(A)

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