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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

O.A.NO. 182/93

Date of decision: 10.05.1993.

Shri Surender Kumar

.....

Applicant

versus

Union of India through
General Manager,
Northern Railway
New Delhi & Ors.

.....

Respondents

CORAM:-

THE HON'BLE MR. I.K. RASGOTRA, MEMBER(A)

THE HON'BLE MR. J.P. SHARMA, MEMBER(J)

FOR THE APPLICANT : SH. V.P. SHARMA, COUNSEL

FOR THE RESPONDENTS : NONE

JUDGEMENT(ORAL)

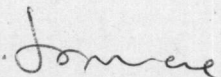
(By Hon'ble Mr. I.K. Rasgotra, Member(A))

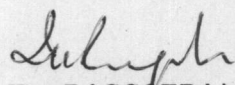
This matter had been the subject matter of CCP No. 95/93 as the petitioner at that time was not willing to accept the job of Safaiwala. The Tribunal while dismissing the CCP observed that it is not possible to make any distinction between one Group 'D' Post and another and therefore the petitioner's prayer that the respondents be directed to offer him any other post except Safaiwala has no merit. The ex-parte interim order earlier passed by the Tribunal was also vacated. The learned counsel for the applicant submitted that the respondents had made an offer to the applicant for the post of Safaiwala vide order dated 7.10.1991 (Annexure A-1). He, however, did not take up the job immediately and filed an O.A. in the Tribunal. When the matter came up before the Tribunal on 25.1.1993 an interim order was given directing the respondents to consider

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engaging applicant as casual labour in a post other than that of a Safaiwala if any vacancy exist and in preference to persons with lesser length of service and outsiders. This interim order has been vacated by the Tribunal in CCP No.95/93. With the disposal of the CCP, the applicant is left with no alternative but to accept the offer made by the respondents vide their order dated 7.10.1991.

2. In view of the above circumstances this O.A. is disposed of finally with a direction to the respondents to consider the petitioner for engagement against a group 'D' post in accordance with the terms etc. given in letter dated 7.10.1991 immediately but not later than 8 weeks from the date of communication of this order. No costs.


(J.P. SHARMA)
MEMBER(J)


(I.K. RASGOTRA)
MEMBER(A)