

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

O.A.No.1861/93

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New Delhi, this the 1st day of February, 1999

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER (J)
HON'BLE SHRI N. SAHU, MEMBER (A)

1. Shri Surendra Kumar Gaur S/o Shri Jagdish Prasad
2. Shri Prem Pal Singh S/o Shri Gur Sagar Singh
3. Shri R.S. Ujlayan S/o Shri Ram Saran
4. Shri Sudesh Kumar Sharma S/o Shri Yog Dutt Sharma
5. Shri Pramod Kumar Sharma S/o Bhagwan Swaroop Sharma
6. Shri Ravi Kant S/o Shri Mohan Lal
7. Shri A.B. Joshi S/o Sh. G.B. Joshi
8. Shri K.S. Rawat S/o Late Shri K.S. Rawat
9. Shri Shiv Dutt S/o Shri D.S. Sharma Applicants

All applicants are posted as SOM at Tilak Bridge, and Minto Bridge, New Delhi under Administrative Control Respondent No.2. Their address for the purpose of summon is C/o Shri Suresh Kumar Gaur, 398-B, Arya Nagar, Railway Colony, Ghaziabad.

(By Advocate: None)

Versus

1. Union of India, through the General Manager, Northern Railway, New Delhi.
2. Chief Adm. Officer (C), Kashmiri Gate, N.Rly., New Delhi. Respondents

(By Advocate: None)

O R D E R (ORAL)

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER (J)

This case has been listed at serial number 8 in today's cause list under the 'Regular matters' with the caption that cases of the year 1993 and earlier will not be adjourned. None is present for the applicants even on the second call. We have waited till about 2.55 PM.

2. In the above circumstances, we have perused the application filed by the applicants who have sought the

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following main relief:-

"To direct the respondents to consider the case of the petitioners for regularisation of their services as S.O.M. at par with permanent staff recruited through Railway Service Commission in the light of judgement of Hon'ble Jodhpur Bench (Annexure -1) with further direction to the General Manager, Northern Railway to issue necessary instructions to CAO (C), respondent No.2, Kashmere Gate, Delhi to obey and follow the direction of Hon'ble Jodhpur Bench and to apply same principles for the purpose of regularisation of the services of petitioners in exercise of power conferred to him in rule No.124 of Indian Railway Establishment Code. Vol.I. with consequential benefits."

3. The applicants have also submitted that they had made representations dated 24.2.92, 6.3.92 and earlier on 24.9.91 which have not been replied by the respondents. We note that notice on this O.A. has been issued to the respondents on 8.9.93 and inspite of several opportunities having been granted, including fresh notice being issued to the respondents, they have not filed any reply.

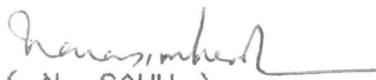
4. In the above facts and circumstances of the case, particularly having regard to the fact that respondents have not cared to file any reply, we dispose of this O.A.


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with the following direction:-

"Respondents 1 and 2 shall consider and dispose of the aforesaid representations of the applicants received by them together with the averments made in the O.A., taking into account the principles laid down in the judgement of the Tribunal dated 19.8.91 in the case of Satish Kumar Sharma vs. Union of India & ors. (O.A.359/89 - C.A.T., Jodhpur Bench). This shall be done by a reasoned and speaking order, within three months from the date of receipt of a copy of this order, with intimation to the applicants. The applicants' entitlement to consequential benefits, which shall be in accordance with the Rules, shall also be spelt out clearly in their order."

No order as to costs.


(N. SAHU)
MEMBER(A)


(SMT. LAKSHMI SWAMINATHAN)
MEMBER(J)

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