

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

MA.4035/94 and OA.340/93

with

MA.4036/94 and OA.353/93 ✓

Dated this the 8th of March, 1995.

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

MA.4035/94 and OA.340/93

Krishan Kumar
S/o Shri Vidhya Daar,
Village : Chaksaniya,
P.O. Karthari,
Distt, Gonda (U.P.)

...Applicant

By Advocate: Shri V.P. Sharma by Shri Yogesh Kumar
Sharma.

versus

1. Union of India through
The General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway, Bikaner.
3. The Carriage & Wages Superintendent(MG),
Northern Railway,
Delhi Main, Delhi Jn. ...Respondents

By Advocate: Shri N.K. Aggarwal (but not present).

MA.4036/94 and OA.353/93 ✓

1. Latur,
S/o Shri Partap.

2. Chittar,
S/o Shri Partap.

...Applicants

R/o Hari Om Gaur Bhawan, Gali No.40,
Sadh Nagar Extention, Palam Colony,
New Delhi-45.

By Advocate: Shri V.P. Sharma, by Shri Yogesh Kumar
Sharma.

versus

1. Union of India through
The General Manager,
Northern Railway,
Baroda House, New Delhi.
 2. The Divisional Railway Manager,
Northern Railway, Bikaner Division.
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3. The Secretary,
Railway Board, Rail Bhawan, New Delhi.
4. The Assistant Engineer,
Northern Railway, Hanuman Garh... Respondents

By Advocate: Shri N.K. Aggarwal (but not present).

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

The applicants in both these OAs are casual labourers in the Railways who were engaged for some time and subsequently disengaged. They have a claim that in accordance with the standing instructions of the Railway Board, they are entitled to have their names recorded in the Live Casual Labour Register and be considered for regularisation.

2. Subsequently, in a similar matter in OA.2241/91, Net Ram and others versus Union of India through the General Manager, Western Railway and others, rendered on 26th May, 1994, the OA was disposed of, with certain directions to the respondents.

3. The applicants have filed MA.4035/94 and MA.4036/94 praying for disposal of these OAs also on the basis of the aforesaid judgement in Net Ram's case.

4. Notice of the MA has been served to the respondents, but no reply has since been filed.

5. In the circumstances, the right to file reply to the MA is forfeited.

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6. The matter is coming today for further consideration. We are of the view that considering the nature of these cases, it would be better to dispose of these OAs in the light of the directions of the earlier judgement in Net Ram's case referred to, above. Accordingly, we dispose of ^uthese OAs.

7. The applicants are directed to file within one month from the date of receipt of this order, a detailed representation to the concerned DRM, Northern Railway, Bikaner, respondent No.2 herein, furnishing the full particulars of their services along with proof thereof, to substantiate their claim, ^u ~~that~~ in accordance with the standing instructions of the Railway Board as also the circular dated 28.8.87 issued by the General Manager, Northern Railway referred to, in Net Ram's case, ^u ~~they~~ they are entitled to have their names included in the Live casual Labour Register. In case, such representations are filed, the respondents are directed to dispose of them in accordance with law, keeping in view the aforesaid instructions, within a further period of three months from the date of receipt of those representations under intimation to the applicants.

8. In case, the names of the applicants are finally included in the Live Casual Labour Register, their case for regularisation shall be considered in accordance with law and according to their turn and likewise, if any vacancies arise for engagement of casual labourers, the applicants shall be considered in preference to their juniors and outsiders.

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9. The OAs are disposed of as above. This order be placed in OA.340/93 and a copy be placed in OA.353/93.

A. K. Venkatesh

(Dr. A. Vedavalli)
Member(J)

/kam/

N.V. Krishnan
8/3/93

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

*True copy
Attended*

M. S. S. S.

7/4/93

PRITAM SINGH
Court Officer
General Administrative Tribunal
Principal Bench
1, Market House, New Delhi