

In the Central Administrative Tribunal
Principal Bench: New Delhi

OA No.664/93

Date of decision: 07.04.1993.

All India Hot Weather Watermen
Association through its President and
Another

...Petitioners

Versus

Union of India through Secretary,
Ministry of Railways, Rail Bhawan, New Delhi
and Others

...Respondents

Coram:-

The Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman
The Hon'ble Mr. I.K. Rasgotra, Member (A)

For the petitioners

Shri Sanjay Parikh, Counsel.

For the respondents

None

Judgement(Oral)

(Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman)

On 24.3.1993 when notice was directed to be issued to the respondents we had permitted the petitioners to take Dasti summon and to serve on the respondents. The matter was directed to be listed today. Affidavit of service has been filed. On perusal of the same it appears that the respondents stand duly served.

2. In view of the order we are about to pass, we do not consider it necessary to call for a reply from the respondents. We are, therefore, disposing of this application finally.

3. In paragraph-4 of the Application it is averred that the petitioners had on 15.5.1992 made a representation to the Railway Board. It is alleged that Annexure 'C' is a true copy of the said representation. The grievance of the petitioners appears to be that they are not being given employment as Watermen during the current summer season.

(3)

4. From the papers placed on the file we find that the petitioners were working on the Central Railway, particularly in Jhansi Division as Hot Weather Water Men. Any order in regard to their engagement etc. has to be made by the General Manager, Central Railway. However, since they have represented their case to the Railway Board vide their representation dated 15.5.1992 and the General Manager, Central Railway has been deleted as respondents from the O.A. we direct that the Railway Board shall cause the appropriate authority to dispose of the said representation, if Railway Board is not the appropriate authority as expeditiously as possible and preferably within three months from the date of presentation of a certified copy of this order by any of the petitioners. If the representation is rejected, the Railway Board or the appropriate authority shall pass a speaking order in accordance with law and it will be open to the petitioner to challenge the validity of the order if passed against them.

5. With these observations this case is disposed of without any order as to costs.

Subhash
(I.K. RASGOTRA)
MEMBER(A)

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

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