

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

DA 2442/91, 175/92 and 8/93

New Delhi, this 16th day of November, 1994

Shri N.V. Krishnan, VC(A)
Shri C.J. Roy, Member (J)

DA 2442/91

1. Natwar, s/o Shri Matan Din
2. Fakir Chand, " Ganpat
3. Rohtas, " Madu Ram
4. Ratan Lal, " Suraj Ram
5. Sumer Singh, " Chandu Singh
6. Jai Singh, " Deep Chand
7. Sumer Singh, " Gugan Ram
8. Bhagirath, " Phalad
9. Amar Singh, " Sultan
10. Ram Niwas, " Hira Lal
11. Ramesh, " Puran
12. Jai Lal, " Jai Narain
13. Sagar, " Prem Chand .. Applicants
14. Om Prakash, "

(All were working as casual labours
under Western Railway)

DA 175/92

1. Jangali, s/o Shri Bhola
2. Mohar Singh " Krishan Lal
3. Dhanna " Gyarsa
4. Khaniya, " Chittar
5. Bhori Lal " Khaniya Lal
6. Jai Lal " Khaniya Lal
7. Duli Chand " Bisan Lal
8. Babu Lal " Mool Chand
9. Ramesh " Budha
10. Ram Bhadur " Bhima Ram
11. Kisana " Panchhu
12. Babu Lal " Jagan
13. Gila Ram " Nathu Ram
14. Khaniya " Narain
15. Banwari Lal " Bhanru
16. Amar Singh " Arjun
17. Brij Lal " Jamma
18. Kalu " Diya Chand
19. Laxmi Narain " Mahadev
20. Nathu Ram " Govinda
21. Pirbhoo " Sheo Narain
22. Promod Kumar " Girja Shankar
23. Sarvan " Parbhati Lal
24. Ha'ddayal " Ram Shai
25. Ganga Ram " Goma
26. Jagdish " Ram Dayal
27. Banwari " Suraja
28. Radhey Shyam " Murali Dhar
29. Banwari " Murali Dhar
30. Jagdish " Bakshi
31. Ram Karan " Kalyan .. Applicants

(All were working as casual labour
under Western Railway)

DA 8/93

Babu Lal Sharma, s/o Brij Mohan Sharma . Applicant
(was working as casual labour under
Western Railway)

By Shri V.P. Sharma, Advocate in all DAs.

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1. Union of India, through the General Manager, Western Railway, Churchgate, Bombay
 2. The Dvl. Railway Manager Western Railway, Jaipur
 3. The Asstt. Engineer, Western Railway, Alwar
 4. The Sr. Divisional Medical Officer Western Railway, Hospital, Ringus (Raj)
 5. The Asstt. Engineer Western Railway, Bandikui/Fulera (Raj)
 6. The Permanent-Way-Inspector Western Railway, Bansatali, Niwai (BNLW)
 7. The Bridge Inspector Western Railway, Bandikui
 8. The Secretary, Railway Board Rail Board, New Delhi .. Respondents

By Shyam Moorjani, Advocate

ORDER (oral)

(Shri N.V. Krishnan, Hon'ble VC (A))

These three OAs are being heard together with the consent of both the parties. The applicants were casual labours under the Western Railway seeking regularisation. Their claim is that after being engaged for sometime as casual labours, they were disengaged thereafter. In the circumstances, they have prayed that the respondents should be directed to consider them for regularisation in preference to their juniors and also the respondents be directed to re-engage them in preference to their juniors till they are regularised. The applicants have also filed MAs stating that the original applications may be disposed of in the light of the earlier judgement in OA 2441/91 dated 26.5.94 namely Net Ram & Ors. Vs. Western Railway & Ors. The respondents have no objection to the disposal of the OAs in this manner.

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2. In the circumstances, following the decision earlier rendered as stated above, we dispose of these OAs with the direction to the respondents to include the names of these applicants in the live casual labour register, if eligible for such inclusion, in terms of the Railway Board's circular No.220E/190-XIX-A/RIV dated 28.8.87 issued by the General Manager, Northern Railway as mentioned in para 16 in the judgement of Net Ram's case. The respondents are further directed to give engagement to the applicants as casual labours as and when need thereof arises in accordance with their seniority in the ~~seniority~~ ^{aforesaid} register. In order to take action in this manner, the applicants are directed to submit to the competent authority, within one month from the date of issue of this order, a representation in regard to this claim with full particulars of their service and proof thereof. On receipt of such representation, the respondents are directed to decide their claims in accordance with the provisions of law, within a period of three months thereafter under intimation to them.

3. Original order be placed in OA 2442/91 and copy be placed in other OA files.

4. The learned counsel for the respondents will be entitled to his fees in all the three cases.

The OAs are disposed of accordingly. No costs.

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(C.J. Roy)
Member (J)

16/11/94
(N.V. Krishnan)
Vice-Chairman (A)

/tvg/

PRITAM SINGH
Court Officer
Central Administrative Tribunal
Princpal Bldg on
Faridkot House, New Delhi