

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD.

Allahabad This The 18th Day of July, 2000  
Original Application No. 42 of 1996

CORAM:

Hon'ble Mr. S.K.I. Naqvi, J.M.  
Hon'ble Mr. S. Biswas, A.M.

Sri Ram son of Sri Ram Subhag at present  
working as substitute in Marduadih, N.E. Rly,  
Varanasi.

.....Applicant

(By Adv: Sri R. Verma, Sri N.N. Lahari)

Versus

- 1- Union Of India, through General Manager  
M. E. Railway, Gorakhpur.
- 2- Divisional Railway Manager, N.E. Railway,  
Varanasi Division, Varanasi.

.....Respondents

(By Adv: Km. S. Srivastava)

O R D E MR (oral)

(By Hon' Mr. S.K.I. Naqvi, J.M.)

Sri Ram has come up under section 19 of the  
Administrative Tribunals Act seeking reliefs to the effect  
that the respondents be directed to confer the temporary  
status to the applicant and provided consequential benefits.  
In view of his, having put more than 120 days work.

2- The respondents have contested the case and filed  
counter reply. In para 5 of counter reply, it has been pleaded

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"There are two rival claimants against one post having the similar name and parentage, one is Sri Ram s/o Ram Subhag at Sl. no. 218 of the list published under letter dt. 10-10-90 and the other one at sl. no. 220 in the another list published under letter dt. 29-1-92. Both these lists consist the name of these casual labourers/~~substitute~~ who have worked prior to 1-1-81 and thereafter substitutes of these lists are being utilised against casualties as and when arises, being authorised casual labourers/substitute. But against the aforesaid single name one Sri Ram s/o Ram Subhag, village and post Thapa District Siwan and another person Sri Ram s/o Ram Subhag, village Mushipur, Post Mau, District Mau, are claiming their rights."

3- In para no. 7 of C.A., the respondents have brought on record that under above ~~facts and~~ circumstances, the case has been entrusted to Sri P. K. Srivastava, Welfare Inspector to investigate thoroughly, and submit his enquiry report at the earliest and on receipt of the same, the respondents shall be able to take further action.

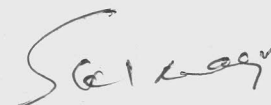
4- With the above position, in view we find that, as per respondents' case there are two persons having similar name and parentage to claim for being given the service status. The respondents ought to have sorted out the position much earlier.

5- The respondents are directed to take the decision within three months from the date of communication of this order, <sup>and</sup> pass appropriate detailed speaking reasoned order regarding absorption of applicant as per rules.

6- The O.A. is disposed of with the above direction.

No order as to costs.

  
A.M.

  
J.M.

/Abhishek/