

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 13th day of November 2002.

QUORUM : HON. MR. S. DAYAL, A.M.

HON. MR. A. K. BHATNAGAR, J.M.

O. A. No. 690 of 1996.

1. Bahadur Singh S/O Bhikam Singh, P.O. Chamraula, Dist. Agra.
2. Chhatra Pal Urf Chhatar Pal S/O Sri Nek Ram R/O Village Lodhai, P.O. Maharara District Mathura.
3. Vijay Singh S/O Sri Pancham Singh R/O Village Janki Gari, P.O. Shitlaya Dhahun, District Agra.
4. Sri Ram S/O Pancham Singh R/O Village Janki Gari, P.O. Shitlaya Dhahun, District Agra.
5. Shiv Singh S/O Data Ram R/O Village Janki Gari, P.O. Shitlaya Dhahun, District Agra.
6. Nahar Singh S/O Sri Ram Prasad R/O Village Lodhai, P.O. Maharara, District Mathura.
7. Heera Lal S/O Sri Bhoodeo R/O Village and Post Khanda, District Agra.
8. Nakse S/O Sri Mihi Lal R/O Village Lodhai, P.O. Maharara, District Mathura.....

..... Applicants.

Counsel for applicants : Sri Anand Kumar

Versus

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway, Allahabad.
3. Divisional Dupdt. Engineer (Coordination), Northern Railway, DRM office, Allahabad.....

..... Respondents.

Counsel for respondents : Sri P. Mathur.

O R D E R

BY HON. MR. S. DAYAL, A.M.

This application has been filed for direction to the respondents to re-engage the applicant as casual labour in Allahabad Division and thereafter screen and regularise their services against Group 'D' post.

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The applicants have claimed the relief in pursuance of the order of Principal Bench in O.A. No.2063/93 dated 16.11.1994 whereby the respondents were directed to offer appointment as casual workers strictly in accordance with their placement in the live casual labour register, consider them for a fresh engagement as casual workers even if their name is not found in the live casual labour register and to dispose of representation/representations of the applicants within a period of three months if filed within one month.

3. We have heard the arguments of Sri Anand Kumar for applicant and Sri P. Mathur for respondents.

4. Counsel for the applicant has given the names of Shri Shahid Ali Khan and Sri Ram Chandra as persons who were engaged as casual labour although they were fresh hand at the cost of engagement, who had worked as casual labour in the past. It has been contended that this was against the order and direction of the Principal Bench of C.A.T.

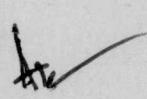
5. Counsel for the applicant has stated that the applicants names were entered in the live register for casual labour on 17.8.95. The Annexure A-4 filed by the applicants shows that Sri Shahid Ali Khan had been engaged on 15.11.94, which was before the date of communication of the order of the Principal Bench of Tribunal.

6. Under the circumstances, we do not find that the applicants ~~are derived~~^{have &} the right to be engaged on work of casual nature deriving the said right from the order of the Principal Bench of Tribunal.

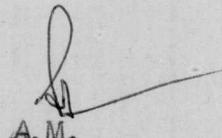
7. Counsel for the applicant has stated that the respondents have not given full details about the number of applicants on the live register of casual labour. We direct the respondents to give the information regarding the number of persons on the live register for casual labour, the serial number of the applicants in the said register upto which the casual labour enrolled thereon have been regularised. The

applicants will have right of consideration for work of casual nature according to their place in the live register and fresh faces shall not be engaged without considering the claim of the applicants for work of casual nature in accordance with law. This order regarding communication of information regarding serial number etc. shall be complied within two months from the date of communication of this order.

There shall be no order as to costs.



J.M.



A.M.

Asthana/