

(12)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 21st day of December 2000.

Original Application no. 214 of 1997.

Hon'ble Mr. S.K.I. Naqvi, Judicial Member

Chhedi Lal, S/o Shri Heera Lal,
R/o House no. 130, Mohalla Mahavir Sapura, Nagra,
Distt. Jhansi.

... Applicant

C/A Shri R.K. Nigam

Versus

1. Union of India through General Manager,
Central Railway, Mumbai, C.S.T.
2. Deputy Chief Controller of Stores, Central
Railway, Jhansi.

... Respondents

C/Rs Shri A. Sthalekar

O R D E R (Oral)

Hon'ble Mr. S.K.I. Naqvi, Member-J.

Shri Chhedi Lal has come up seeking relief to the effect that the respondents be directed to finally absorb him in Group 'D', Class IV category.

See ✓

...2/-

(12)

// 2 //

2. As per applicant's case he worked as casual labour in respondents establishment right from 1963 to 1990 in different spells and by virtue of the days he worked, he was given MRCL status and was subjected to screening alongwith eligible casual labours on 12.02.90, but instead of regularising his services he has been disengaged and the respondents did not even care to respond his representation dated 21.12.96, copy of which has been filed as annexure A-4.

3. Respondents have contested the case and filed CA with the specific mention that on 12.2.90 the applicant alongwith other casual labours was called for screening for regularisation in Group 'D' category, but as per result of the said screening only 10 casual labours were found suitable and empanelled vide order dated 10.08.90, but the applicant could not find himself amongst them because of having worked for short period. With these facts the respondents pleaded that the applicant is not entitled to relief claimed.

4. Heard learned counsel for the rival contesting parties and perused the record.

5. The applicant has claimed to have worked in respondents establishment during 1963 to 31.3.90. The respondents have not admitted this period of 27 years but at the same time it has been admitted that the applicant worked as casual labour and in the year 1990, ~~he was~~, ~~he~~ amongst those who were eligible to be considered

SC 5

...3/-

(14)

// 3 //

for regularisation. Thought the applicant could not be regularised for having lesser number of days he worked.

6. Keeping in view the facts and circumstances of the matter I find the employer establishment must have some sympathetic consideration for a casual labour who worked for more than 2 decades and, therefore, the OA is decided with the direction that in case the applicant moves a fresh representation within 4 weeks, the same may be decided within 4 months, thereafter by passing detailed, reasoned and speaking order after taking into consideration the length of period and number of working days, the applicant has worked with the respondents establishment.

7. No order as to costs.

See a n a g
Member-J

/ pc/