

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 521 of 1997

Allahabad this the 03rd day of January, 2001

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

1. Raj Kumar Son of Munni Lal, Resident of Mohalla Humanyupur, Uttari Gate, Gorakhnath, Gorakhpur.
2. Purnamasi, Son of Shri Ganesh Prasad, resident of Jattepur Uttari Hadhawa Phatak, Gorakhnath, Gorakhpur.
3. Sant Raj Son of Shri Ram Prasad, resident of village Lashipur (Yadav Tola) Post Moripur, District Gorakhpur.
4. Bechan Prasad Son of Nibar Gorakhpur Railway Station, Gorakhpur.
5. Ramesh Chandra Tripathi, Son of Shri Bechand Prasad Tripathi, Resident of Village Balua, Post Singbara Bazar, Gorakhpur.
6. Ram Naumi Gaur, Son of Shri Ram preet Gaur, Resident of
7. Subhash Son of Shri Tirath, Resident of Village Bharvar, Post Bharsar, Gorakhpur.
8. Ram Karan Son of Shri Murat, Resident of Village Usrain Post Badyapar, Gorakhpur.
9. Sunil Kumar Yadav, Son of Shri R.C. Yadav, resident of Village Bangavan, Post Sahjanwa, Gorakhpur.
10. Ram Ashish Son of Shri Neebar Resident of Village Bankatwa, Post Peppiganj, Gorakhpur.

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11. Angad Son of Shri Ram Bhajan, Resident of Village Bharwar, Post Bharwar, Gorakhpur.
12. Ramanuj Yadav, Son of Shri Tirath Yadav, resident of Railway Colony, Kannu Bagh, Q.No.52 (out House), Gorakhpur.
13. Marjad Prasad Son of Paltoo, Resident of Village Dubriya, Post Kha juri, District Gorakhpur.
14. Rais Khan Son of Shri Umed Ali, Resident of Mauza Bahaurpur, Post Laxmipur, Distt. Mahara jganj.
15. Swami Nath Yadav Son of Shri Ram Awadh, Resident of Shiv Nagar Colony Post Basharat pur, District Gorakhpur.
16. Bechai Son of Shri Badal, Resident of Village and Post Badgaon, New Shivpuri Coloney, Distt. Gorakhpur.
17. Mahmood Ali Son of Shri Gulam Ali, Resident of Zafra Bazar, Distt. Gorakhpur.

Applicants

By Advocate Shri Syed Wajid Ali

Versus

1. Union of India through its Secretary, Ministry of Railways, New Delhi, India.
2. General Manager, Northern Eastern Railways, District Gorakhpur.
3. Divisional Railway Manager, Eastern Railway, Lucknow.
4. Senior Divisional Commercial Superintendent

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Division Northern Eastern Railway, Lucknow.

5. Senior Divisional Personnel Officer, Northern Eastern Railway, Lucknow.
6. Chief Personnel Officer, Northern Eastern Railway, Gorakhpur.

Respondents

By Advocate Shri Amit Sthalekar

O R D E R (Oral)

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

The applicant Raj Kumar and 16 others have come up with a case that inspite of their having worked with respondents establishment for different periods right from 1978 to 1993, they are being kept as temporary staff and not being regularised, therefore, claim has been put through this O.A. to direct the respondents to regularise their services.

2. Without contesting the case on facts, the respondents have come up with clear pleadings in paras-6, 12 and 14 of the counter-reply that the petitioners have already been given temporary status and are entitled to the rights and benefits as admissible to temporary railway servants under the rules and also that the directions of the Railway Ministry in this regard are being obeyed and they will be regularised as per extent rule, considering their eligibility as and when regular vacancy accrued.

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

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4. In this case, the applicants claim regularisation of their services and respondents do not deny their entitlement but, subject to availability of vacancy and their turn, under extent rules, therefore, no direction is needed as claimed. The O.A. is disposed of with the ^{fa} above observation that the authorities in the respondents establishment shall take care that the claim of the petitioners is not ignored when they became eligible at their turn. No order as to costs.

See margin
Member (J)

/M.M./