

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.706 OF 1998
ALLAHABAD THIS THE 25TH DAY OF APRIL, 2003

HON'BLE MR. A.K. BHATNAGAR, MEMBER,

Chand Mian
son of Sri Lal Khan,
resident of 307,
Tulsi Nagar,
Orai.

.....Applicant

(By Advocate Shri A.K. Dave)

Versus

1. Union of India,
through its Secretary,
Ministry of Railway,
New Delhi.

2. Assistant Engineer,
Central Railway,
Kanpur, U.P.

3. Permanent Way Inspector (P.W.I.),
Orai, District-Jalaun.

.....Respondents

(By Advocate Shri P. Mathur)

ORDER

By this O.A. filed under section 19 of Administrative
Tribunals Act 1985, the applicant has prayed for a direction
to the respondents to reinstate the applicant in the service.

AM

He has further prayed for a direction to regularise his services as Class IV employee.

2. The facts of the case as per applicant in brief, are that the applicant was appointed as Casual Labour (Khalasi) Dr Orai by respondent no.3 by an oral order in the year 1985-86. It is also claimed that the applicant has worked till 19.07.97 with few breaks in between, and the services of the applicant was terminated on 19.07.1997 by an oral order. The learned counsel for the respondents contested the case by filing CA and has contended that the services of the applicant had already ceased on 18.06.1986 and was worked for 93 days in total during 1985 to 1986. The applicant filed rejoinder in reply to CA and claimed that he was engaged as Casual Labour from 23.06.1985 to 18.06.1986 and has worked for 254 days and further claimed to have acquired temporary status as he has worked for more than 120 days. No Suppl. counter reply filed by the respondents.

3. Without going into the merits of the case, I consider it appropriate if the representation submitted by the applicant which is (Annexure A-3) dated 19.10.1997, is decided by respondent no.3 within a specified time.

4. Accordingly the O.A. is disposed of with a direction to respondent no.3 i.e., Permanent Way Inspector (P.W.I.) Orai, District Jalaun to consider and decide the representation of the applicant with a reasoned and speaking order within a period of four months from the date of receipt of a copy of this order.

5. With the above directions, the O.A. is disposed of. There shall be no order as to costs.

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Member-3