

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 28TH DAY OF NOVEMBER, 2000

Original Application no.835 of 1998

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

Rajendra Kumar Shivhare, a/a 35 years
Son of Shri Lakhan Prasad, R/o25/2 Issai Tola
Prem Nagar, Jhansi.

... Applicant

(By Adv: Shri R.K.Nigam)

Versus

1. General Manager, Railway Electrification Allahabad.
2. Secretary, Railway board, Rail Bhawan, new Delhi.
3. Chief Workshop Manager, Central Railway Workshop, Jhansi.

... Respondents

(By Adv: Shri V.K.Goel)

O R D E R(Oral)

(By Hon.Mr.Justice R.R.K.Trivedi,V.C.)

By this application u/s 19 of A.T.Act 1985 applicant has prayed for a direction to the respondents to engage the applicant as Monthly Rated Casual Labour(MRCL) and consider his candidature for permanent posting in the Workshop as Khallasi in the pay scale of Rs.750-940 in Group 'D'Category, in pursuance of the Head Quarter letter dated 23.5.1996 (Annexure A8). It appears that applicant was engaged on 19.5.1984 and he worked upto 21.11.1985 in Railway Electrification Project carried out by central Organisation Railway Electrification (Commonly known as R.E.) The applicant was also conferred temporary status and by his application dated 25.7.1996 applicant applied that he may be considered for appointment in any of the divisions of Central Railway. Learned counsel for the applicant has submitted that though application was made on 25.7.1996 it has not been decided and the claim of the applicant has not been considered.



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Shri V.K.Goel learned counsel appearing for the respondents has submitted that the applicant is not entitled for being considered for appointment in any division of Central Railway on the basis of the letter dated 23.5.1996. It is submitted that it was an arrangement within the central railway and applicant being an employee of Central Organisation is not entitled for being considered. On the basis of the letter dated 23.5.1996 it could not be opened for MRCL of other divisions. It is submitted that the Central Organisation of Railway Electrification is independent zone and applicant's claim is baseless. I have considered the submissions of the learned counsel for the parties and have also perused the order dated 23.5.1996. From perusal of the order it is clear that it deals only with the Monthly Rated Casual Labour of different divisions falling within the Central railway. The applicant admittedly is not MRCL of any of the divisions falling within the Central railway hence he is not entitled to be considered on the basis of the order dated 23.5.1996. The claim is not justified. The application has no merit and is dismissed accordingly. There will be no order as to costs.


VICE CHAIRMAN

Dated: 28.11.2000

Uv/