

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD.

...

ORIGINAL APPLICATION NO. 104 of 1998.

this the 22th day of March' 2001.

HON'BLE MR. S. DAYAL, MEMBER(A)

SYAM LAL, S/o Sri Ganga Ram, Carriage worker, Mechanical,
resident of Village Dharikpur, Post Office, Ahmadabad,
Tehsil Sadar, District Etah.

... Applicant.

By Advocate : T.C. Sharma.

Versus.

Union of India through the General Manager, North Eastern
Railway, Gorakhpur.

2. The Divisional Railway Manager (Karmik), Izzatnagar,
Bareilly.

3. The Asstt. Engineer, North Eastern Railway, Fatehgarh.

4. The permanent Working Inspector-II (PWI), Kannauj,
Farrukhabad.

... Respondents.

By Advocate : Sri A. Tripathi.

O R D E R (ORAL)

This application has been filed for setting-aside
the impugned order dated 20.8.1997 as contained in Annexure-A
to the O.A. and the directions may be issued to regularise
the services of the applicant from the date of the services
of S/Sri Sheopal Singh & Satyapal Singh have been regularised.

2. The case of the applicant is that he worked for
713 days in various spells starting from the year 1972 to
the year 1989. The applicant claims that the railway
authorities allowed S/Sri Sheopal Singh & Satya pal Singh
to be regularised although they started working with the
respondents from the year 1989. The applicant filed O.A.
no. 1126/95, which was decided on 2.4.97. The applicant
submitted a copy of the order of the Tribunal alongwith
his representation, which he alleges was cursorily decided

by the respondents. This gives rise to this original Application.

3. The arguments of Sri T.C. Sharma, learned counsel for the applicant and Sri A. Tripathi, learned counsel for the respondents have been heard.

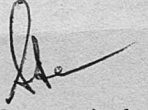
4. The learned counsel for the applicant has argued that the applicant is senior to S/Sri Sheopal Singh and Satya Pal Singh and, therefore, he should have been regularised before those two persons, were regularised. On that ground, he seeks for setting-aside the order as well as he prays for regularisation of his services.

5. I find from the order of the Tribunal in O.A. no. 1126/95 that the directions to the respondents was for examining whether the applicant had put in number of days as casual labour as compared to Sri Shiv Pal Singh and Sri Satya Pal Singh on the date they were screened. If it is found that the applicant was senior to the said Sri Shivpal Singh and Satyapal Singh on the date of screening, by virtue of having put in more days as casual labour, he shall also be re-engaged and thereafter considered for regularisation. The impugned order shows that Sri Sheopal Singh had worked for 3976 days at the time of screening held in March '97, while the applicant was found to have worked for 485 days. Sri Satya Pal Singh is stated not to have been selected in any screening.

6. The respondents have shown in their Counter reply, that the name of the applicant has been included in the live register of PWI/II/KJN at serial number 19 and will be considered in future when ever required.

7. In view of the facts and circumstances of the case, the respondents may consider for engagement as casual labour in his turn. The case stands disposed of.

8. The O.A. stands disposed of as above with no order as to costs.



Member (A)

Girish/-