

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 23rd day of November, 2001.

Q U O R U M :- Hon'ble Mr. C.S. Chadha, Member-A.

Orginal Application No. 1318 of 2001

With

Orginal Application No. 1319 of 2001

With

Orginal Application No. 1320 of 2001

With

Orginal Application No. 1321 of 2001

With

Orginal Application No. 1322 of 2001

With

Orginal Application No. 1323 of 2001

Laxman S/o Rameshwer, Safaiwala, working at the office of the Senior Section Engineer, Samadi Manduadiah, N.E. Rly, Varanasi. R/o Vill. Sobantha, Post. Chaura, Distt. Ballia (U.P.)

.....Applicant in OA 1318/01

Chandra Bhushan S/o Sri Sajnath, Safaiwala, working at the office of the Senior Section Engineer, Samadi, Manduadiah, N.E. Rly. Varanasi. R/o D-65/104, Lahartara Colony, Varanasi.

.....Applicant in OA 1319/01

Israrul Haque S/o Sri Mohd. Suleman, Safaiwala, working at the office of the Senior Section Engineer, Samadi, Manduadiah, N.E. Rly. Varanasi. R/o 248-O, New Loco Colony, Manduadiah, Varanasi.

.....Applicant in OA 1320/01

Shyam Sunder Rawat S/o Sri Jaglal, Safaiwala, working at the office of the Senior Section Engineer, Samadi Manduadiah, N.E. Rly. Varanasi. R/o Quarter No. L/93 F, Rly. Colony, Ballia

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.....Applicant in OA 1321/01

Saral S/o Sri Naresh, Safaiwala, working at the Office of the Senior Section Engineer, Samadi Manduadih, N.E. Rly. Varanasi. R/o Vill. Harpur P.O. Virbhanpur, Distt. Varanasi

.....Applicant in OA 1322/01

Imamul Haque S/o Sri Shukrullah, Safaiwala, working at the office of the Senior Section Engineer, Samadi Manduadih, N.E. Rly. Varanasi. R/o New Loco Colony, Lahatara, Varanasi.

.....Applicant in OA 1323/01

By Advocate Sri Y.K. Yadav

V E R S U S

1. Union of India through the General Manager, N.E. Rly. Gorakhpur.
2. The Divisional Railway Manager, (Karmik), N.E. Rly. Varanasi.
3. Sri Rajesh Kumar Srivastava, Divisional Mechanical Engineer, N.E. Rly. Varanasi.
4. Sri B.R. Yadav, Senior Section Engineer, Samadi, Manduadih, N.E. Rly. Varanasi.

.....Respondents

Counsel for the respondents :- Sri K.P. Singh

O R D E R (Oral)

(By Hon'ble Mr. C.S. Chadha, Member- A.)

These OAs have been filed under section 19 of the Administrative Tribunals Act, 1985.

2. The case in brief is that these applicants, mentioned in the above cases were casual labourer in the Varanasi Division of N.E. Railway. Their services were dispensed with because there was no vacancy. They

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approached this Tribunal by filing O.A No. 976/2001 alongwith other connected cases which were decided on 31.08.2001 and department was directed to deal with their representations by a reasoned and speaking order. On 06.10.2001, the respondents have passed an order stating clearly that there were no vacancies and the surplus employees would be absorbed in accordance with seniority list as and when vacancy occured. After the representation of these employees, if there are any vacancies, the applicants will be absorbed as per seniority list. There seems to be no illegality in the order. Learned counsel for the applicant claims that juniors to the applicants have been absorbed. It is necessary that such persons must be impleaded and specific remedy claimed in this regard. The applicants may approach the respondents again mentioning the illegal orders, if any, and respondents will consider their applications in accordance with rules within a period of three months from the date of service of this order. Since there is no merit in these O.As, the O.As are accordingly dismissed.

3. There shall be no order as to costs.

Given

Sd/
W. J. W.

