

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

Allahabad this the 28th day of November, 2001.

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

Original Application No. 1352 of 2001.

Rajendra S/o Sri Shyam Lal

Safaiwala, working at the office of the Senior  
Section Engineer, Samadi Manduadih, N.E. Rly, Varanasi.  
R/o Mohalla- Misirpur. Lahartara, Varanasi.

.....Applicant

Counsel for the applicant :- 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. Railway, 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.)

This O.A has been filed under section 19 of  
the Administrative Tribunals Act, 1985.

Contd....2.



2. The case of the applicant is that he was working as casual Safaiwala in the railways but his services had been terminated without assigning any reason. Learned counsel for the respondents states that the retrenchment was due to reduction of posts of Safaiwala and department has clearly stated that the seniority list of such casual workers is maintained and as and when vacancy occurs, the applicant shall be considered for the job. Learned counsel for the applicant states that the juniors of the applicant who are below at Sl. No. 124 have been appointed but is unable to substantiate this with any authority. The ends of justice will be served, if the department is called upon to examine the representation filed in this behalf and if the department find that the juniors in the seniority list below at Sl. No.124 have been appointed, they shall consider the appointment of the applicant instead. Applicant is, therefore, directed to file a fresh representation mentioning the names of the juniors appointed by the department. Thereafter, the respondents shall pass a reasoned and speaking order as per rules within a period of three months from the date of communication of this order. The O.A is disposed of accordingly.

3. There shall be no order as to costs.

  
Member- A.

/Anand/