

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 967 of 2001

alongwith

Original Application No. 968 of 2001

Original Application No. 969 of 2001

Original Application No. 970 of 2001

Original Application No. 971 of 2001

Original Application No. 972 of 2001

Original Application No. 973 of 2001

Original Application No. 974 of 2001

Original Application No. 975 of 2001

Original Application No. 976 of 2001

Allahabad this the 31st day of August, 2001

Hon'ble Mr.S.K.I. Naqvi, Member (J)

O.A.NO. 967 of 2001

Chandra Bhushan, S/o Sri Sajnath, Casual Labourer Safaiwala, Granted Temporary Status, Working at the Office of the Senior Section Engineer Samadi/Sansthan Manduadih, Northern Eastern Railway, Varanasi at present resident of D-65/104 Lahartara, Varanasi of District Varanasi.

Applicant

By Advocate Shri Y.K. Yadav

O.A.NO. 968 of 2001

Laxman S/o Sri Rameshwar, Casual Labourer Safaiwala, Granted Temporary Status, working at the office of the Senior Section Engineer Samadi/Sansthan, Manduadih Northern Eastern Railway, Varanasi resident of village Sobantha, Post - Chaura, District Ballia.

Applicant

By Advocate Shri Y.K. Yadav

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O.A.No. 969 of 2001

Saral S/o Sri Naresh, Casual Labour Safaiwala, Granted Temporary Status, working at the Office of the Senior Section Engineer Samadi/Sansthan, Manduadih, Northern ^{Eastern} Railway, Varanasi resident of Village - Harpur, Post - Virbhanpur, District Varanasi.

Applicant

By Advocate Shri Y.K. Yadav

O.A.No.- 970 of 2001

Imanul Haque, S/o Shri Shukurulla, Casual Labour Safaiwala, Granted Temporary Status, working at the Office of the Senior Section Engineer Samadi/Sansthan, Manduadih, Northern Eastern Railway, Varanasi at present resident of New Loco Colony, Lahartara Varanasi of District Varanasi.

Applicant

By Advocate Shri Y.K. Yadav

9-2-01

O.A.No. 971 of 2001

Jamil Ahmad S/o Sri Jumayee, Casual Labour Safaiwala, Granted Temporary Status, working at the Office of the Senior Section Engineer Samadi/Sansthan, Manduadih Northern Eastern Railway, Varanasi at resident of Vill. Deoria Ramnath Jaji Kutchery Compound, District Deoria.

Applicant

By Advocate Shri Y.K. Yadav

O.A.No.972 of 2001

Shyam Sunder Rawat S/o Sri Jag Lal, Casual Labourer Safaiwala, Granted Temporary Status, working at the Office of the Senior Section Engineer Samadi/Sansthan Manduadih, Northern Eastern Railway, Varanasi at resident of Vill. Railway Colony Ballia, Quarter No. L/93 F, Post Ballia of District Ballia.

Applicant

By Advocate Shri Y.K. Yadav

21.2.2001

O.A.No. 973 of 2001

Manoj Ram S/o Shri Ambika, Casual Safaiwala, Granted Temporary Status, Working at the Office of the Senior Section Engineer Samadi, Manduadih, Northern Eastern Railway, Varanasi at present resident of H New Loco Colony, Varanasi.

Applicant

By Advocate Shri Y.K. Yadav

O.A.No. 974 of 2001

Israrul Haque S/o Mohd.Suleman, Casual Safaiwala, Granted Temporary Status, Working at the Office of the Senior Section Engineer Samadi, Manduadih, Northern Eastern Railway, Varanasi at present resident of 248/00 New Loco Colony, Manduadih, Varanasi.

Applicant

By Advocate Shri Y.K. Yadav

O.A.No. 975 of 2001

Jamil Ahmad S/o Sri Samsuddin, Casual Safaiwala, Temporary Status, working at the Office of the Senior Section Engineer Samadi, Manduadih, Northern Eastern Railway, Varanasi at permanent resident of village Rasulpur Adampur/Rampur Pargana - Natthupur, Tah. Ghosi, District Mau.

Applicant

By Advocate Shri Y.K. Yadav

O.A.No. 976 of 2001

Rajendra S/o Shyam Lal, Casual Safaiwala, Temporary Status, working at the Office of the Senior Section Engineer Samadi, Manduadih, Northern Eastern Railway, Varanasi at present resident of Mohalla - Misirpura, Lahartara, Varanasi.

Applicant

By Advocate Shri Y.K. Yadav

Shri

1. The Union of India through the General Manager, Northern Eastern Railway, Gorakhpur.
2. The Divisional Railway Manager, N.E. Railway, Varanasi.
3. The Senior Section Engineer (Samadi-Manduadih) Northern Eastern Railway, Varanasi.

* Respondents

By Advocate Shri K.P. Singh

O_R_D_E_R (Oral)

By Hon'ble Mr. S.K.I. Nagvi, Member (J)

In all these O.As the applicants have grievance of similar nature that inspite of they having worked for sufficient long time and being accorded the temporary status, their services have been terminated by the oral order, which is against the departmental procedure and the law handed down by the different Courts from time to time. Since all these matters have almost similar cause of action and relief of similar nature has been sought, therefore, they can conveniently be decided by single order, though heard separately.

2. In O.A.No. 967 of 2001, Shri Chandra Bhushan claimed to have worked for 155 days and has been accorded temporary status as per order dated 10.09.1997, copy of which has been annexed as ann.-3 to the O.A.

3. The other applicant Shri Laxman in O.A. No.968/01 claims to have been accorded temporary status as per annexure-3 for having worked for 126 days.

See

4. In O.A.No.969/01 Shri Saral has filed annexure-2 to mention that after having worked for 235 days he has been accorded temporary status as per annexure-3.

5. Shri Inamul Haq has been accorded temporary status as per annexure-3 for having worked for 258 days.

6. In O.A.No.971/01 Shri Jamil Ahmad has mentioned that in recognition of his having worked for 258 days he was taken in the list of those who have been accorded temporary status vide annexure-3.

7. Shri S.S. Rawat has put his claim through O.A.No.972 of 2001 and has filed annexure-3 wherein his name is at serial no.1 amongst those who have been accorded temporary status in recognition of his working 218 days as per annexure-2.

8. The other applicant Manoj Ram in O.A. No.973 of 2001 has also a similar case and find his name at serial no.7 of the list through which temporary status has been granted after his having worked for 213 days.

9. In O.A.No.974/01 Israrul Haq has filed annexure-3 in support of his contention that he has already been granted temporary status as per list dated 05.10.99 wherein he is at serial no.6.

10. The other Jamil Ahmad S/o Shamsuddin was accorded temporary status as per annexure-3...pg.6/-

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in recognition of his having worked for 334 days in between 23.09.97 to 01.10.98.

11. The last applicant in this bunch of cases is Shri Rajendra in O.A.No.976 of 2001 claims to have worked for 300 days and given temporary status as per order dated 05.10.99 (annexure-3).

12. All the above applicants have a grievance that inspite of ~~teh~~their having attained the temporary status, their services have been terminated by an oral order without issue of any show-cause notice or furnishing any written order. They have another grievance that their representations have also not been considered and being kept without any order thereon.

13. Heard counsel for the parties and perused the record.

14. Keeping in view the facts and circumstances of the matter, all these cases are being decided with the following observations;

"In case all the 10 applicants in these O.As move a fresh representation within 2 weeks, same be decided by the competent authority within 6 weeks thereafter and to pass detailed reasoned and speaking order with copy to the applicants.

15. No cost. Copy of this order be placed in each of the file.

Sd/-
Jm

5/10/01