

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.648 OF 2004
ALLAHABAD THIS THE 05th DAY OF JULY, 2004

HON'BLE MRS. MEERA CHHIBBER, MEMBER-J

HON'BLE MR.S. C. CHAUBE, MEMBER-A

1. Nasir-ul Haq,
aged about 50 years,
son of Shri Shamsul Haq,
working as Goods Driver at Jhansi under
respondent no.2 C/o Deen Dayal Nagar, Jhansi.
2. Abdul Rahim All were working as Goods Driver
3. Deo Lal Aman in grade Rs.5000-8000 (RSRP) on
4. Niyamat Ullah Khan ad-hoc under Divisional Railway,
5. Ram Lakhman Manager, North Central Railway,
6. Hari Shanker Jhansi.
7. Vijay Ram

.....Applicant

(By Advocate Sri R.G. Soni)

Versus

1. Union of India,
through General Manager,
North Central Railway, Allahabad.
2. Divisional Railway Manager,
North Central Railway,
Jhansi.

.....Respondents

(By Advocate Sri K.P. Singh)

O R D E R

HON'BLE MRS. MEERA CHHIBBER, MEMBER-J

This O.A. has been filed by seven applicants
who are all working as Goods Driver in the Grade of
Rs.5000-8000/- on ad-hoc basis under North Central Railway



Jhansi as stated by the applicants. It is submitted by them that they have a common grievance and relief claimed by them is also common, therefore, M.A. No.2549/04 is allowed and they are permitted to file a single application.

2. It is submitted by the applicants that they were promoted as Goods Driver in the scale of Rs.5000-8000/- on ad-hoc basis vide order dated 18.01.2002 (Page 9). Thereafter the Railway Board issued a letter dated 09.10.2003 whereby certain posts in Group 'C' and 'D' grades were re-structured, according to which the normal selection was no more required for those vacancies which had occurred prior to 01.11.2003.

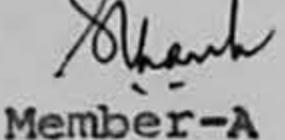
3. It is submitted by the applicants that since they were promoted as Goods Driver in the year 2002 itself it is thus, clear that the vacancies against which they were promoted were already in existence, therefore, they are entitled to be regularised by way of modified selection as per the Railway Board's letter. It is submitted by the applicant that they gave a representation to the D.R.M. on 20.11.2003 requesting him to regularise them (Page 18) followed by reminder dated 30.01.2004 and 13.02.2004 (Page 19 and 20) but till date no reply has been given to them, hence forcing them to file the present O.A.

4. Learned counsel for the respondents was seeking time to file reply, However, we are of the opinion, that since this case would require to be adjudicated upon at the first instance by the department because they only knew what was the scope of the Railway Board's letter by which re-structuring was ordered, therefore, without going into the merits of the case, this case is being disposed of at the admission stage itself by giving a

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direction to respondent no.2 to decide the representation of the applicants within a period of three months from the date of receipt of a copy of this order by passing a reasoned and detailed order under intimation to the applicants.

5. There shall be no order as to costs.



Member-A



Member-J

/Neelam/