

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

This is the 06th day of August 2021

ORIGINAL APPLICATION NO. 330/00552 of 2021

HON'BLE MR. TARUN SHRIDHAR, MEMBER (A)

1. Rajendra aged about 59 son of Shri Chinkan, R/o Village Sukahi, Post Office Sardar Nagar, District Gorakhpur.
2. Rajpati, aged about 58 son of Shri Vanshraj, R/o Village Awadhpur Gadwa Tola, Post Office Awadhpur –via-Sardar Nagar, District Gorakhpur.
3. Ram Naresh aged about 59 son of Shri Mangal, R/o Village Awadhpur Darogaji Ka Chhavni, Post Office Sardar Nagar, District Gorakhpur.
4. Ram Kewal Yadav, aged about 58, son of Bali Karan Yadav, R/o Village Motiram Adda, Pandeyji Ka Tola, Post Office Bainshah, District Gorakhpur.
5. Parasnath, aged about 59, son of late Dukhharam, R/o Village Jhharna tola, Post Office – Kuda Ghat, District Gorakhpur.

.....Applicants.

Advocates for the Applicants: Mr. Sunil holding brief of Ms. Ekta
Kaur/Shri A.K. Sharma

VERSUS

1. Union of India through the Director Establishment (N), Railway Board, New Delhi.
2. The General Manager, North Eastern Railway, Gorakhpur.
3. The Chief Administrative Officer (Construction), North Eastern Railway, Gorakhpur.

.....Respondents

Advocate for the Respondents : Mr. P.K. Rai

ORDER

1. Sri Sunil holding brief of Ms Ekta Kaur assisted by Shri A.K. Sharma, learned counsel for the applicants and Shri P.K. Rai, learned counsel for the respondents are present in court.

2. The relief claimed in this OA by the applicants is their regularisation in service, claiming that they fulfil all the requirement of the respondents as they were engaged as casual labourers as far back as 1981. Therefore, the learned counsel for the applicant contends that they are entitled for regular appointment in terms of the rules and policy governing the subject. He points out that the applicants have already submitted a detailed representation in this regard with the respondents and at this stage they would be satisfied if the respondents take a considered and sympathetic view on their representation and decide it in accordance with the extent rules and instructions.

3. Learned counsel for the respondents informs that this matter has already been settled and the department having gone into the claim of these applicants in detail found that they were not eligible for regularisation in terms of the instructions and rules. He also points out that this matter has been agitated in various legal forums without any conclusive relief in the favour of the applicants.

4. I have heard learned counsels for both the parties and gone through the record. I am of the considered view that since the applicants

have already represented before the respondents authorities, it would, in any case, be incumbent upon the respondents to give some considered reply to the applicants.

5. Accordingly, this O.A. is disposed of with the direction to the respondents to consider and decide the representation submitted by the applicants dated 22.12.2019 (Annexure A-7) followed by reminder dated 19.03.2021 by passing a reasoned and speaking order in accordance with rules, within a period of three months from the date of receipt of a certified copy of the order.

6. It is made clear that I have not expressed any opinion on the merit of the case.

7. There shall be no order as to costs.

(TARUN SHRIDHAR)
Member (A)

Manish/-