

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, MUMBAI**

**ORIGINAL APPLICATION No.210/231/2021  
(with MA No.210/221/2021)**

**Dated this Friday, the 12<sup>th</sup> day of March, 2021**

**CORAM: DR. BHAGWAN SAHAI, MEMBER (A)  
RAVINDER KAUR, MEMBER (J)**

**Proceeding conducted through video conferencing with  
the consent of applicant's counsel.**

1. Shri Srinivas Sainna Kamshetty, Age 35 yrs,  
Ex. Casual Box Boy under CCOR, Kurduwadi,  
Mechanical Deptt. of Solapur Division of Central Railway,  
Solapur 413 001.  
R/o Kamal Nagar, Markad-Wasti, Kurduwadi 413 208.  
Tal. Madha, Distt. Solapur (MS).
2. Shri Nitin Chandrakant Waghmare, Age 31 yrs,  
Ex. Casual Box Boy under CCOR, Kurduwadi,  
Mechanical Deptt. of Solapur Division of Central Railway,  
Solapur 413 001.  
R/o Bhaiyyaran Gawali Wasti, Kurduwadi 413 208.  
Tal. Madha, Distt. Solapur (MS).
3. Shri Nazim Shafi Pathan, Age 30 yrs,  
Ex. Casual Box Boy under CCOR, Kurduwadi,  
Mechanical Deptt. of Solapur Division of Central Railway,  
Solapur 413 001.  
R/o Nal Saheb Nagar, Kurduwadi 413 208,  
Tal. Madha, Distt. Solapur (MS).

- Applicants

(By Advocate Shri D.N.Karande)

**VERSUS**

1. The Union of India, through the General Manager, Central Railway,  
1<sup>st</sup> Floor of GM's office Building, CSTM, Mumbai 400 001.
2. Chief Personnel Officer, Central Railway,  
1<sup>st</sup> Floor of G.M.'s office, CSTM, Mumbai 400 001.
3. Divisional Railway Manager, Central Railway, Solapur Division,  
Modi Khana, Solapur 413 001.
4. Sr. Divisional Mechanical Engineer, DRM's Office, Solapur 413 001.
5. Sr. Divisional Personnel Officer, Central Railway, DRM's Office,  
Solapur 413 001.
6. Chief Crew Controller (CCOR/KWV),  
Solapur Division of Central Railway  
at Kurduwadi 413 208.

- Respondents



**ORAL ORDER****Per : Dr. Bhagwan Sahai, Member (A)****Present:**

Advocate Shri D.N.Karande for the applicants.

2. Heard him on admission of the OA.
3. In this OA, the applicants are seeking direction to the respondents to regularize them in service and grant all consequential benefits as per the guidelines/instructions issued by the DOPT in 1988 and instructions of the Railway Board issued on this subject from time to time.
4. On perusal of this OA, we find that the applicants have not brought on record even a single order of their engagement as casual workers on daily wages basis or on contract basis. The applicant's counsel has been unable to point out any such order, he only points out to payment of some petty amounts to these applicants on some occasions for having worked for a few hours on informal arrangement, and pleads that they should be regularized in service.
5. However, in absence of any specific order of the respondents for engagement of the applicants as casual workers or workers on contract, no employer-employee service relationship seems to have been created in favour of the applicants. Therefore, this OA does not have any merit to be admitted for adjudication on service matters of the applicants.
6. Therefore, in absence of any service matter involved in the OA, it is dismissed at admission stage itself.

**(Ravinder Kaur)**  
**Member (Judicial)**

**(Dr. Bhagwan Sahai)**  
**Member (Administrative)**

kmg\*

JD  
19/03/21