

Central Administrative Tribunal,
Allahabad.

Registration O.A.No.175 of 1988

Ram Niwas Sharma ... Applicant.

Vs.

D.R.M.Allahabad. ... Respondent

Hon.Ajay Johri,AM
Hon.G.S.Sharma,JM

(By Hon.Ajay Johri,AM)

This is an application u/s.19 of the Administrative Tribunals Act XIII of 1985. The applicant who had worked as a casual labour in Northern Railway under Loco Foreman Tundla for a few months in 1968 and thereafter again for a few months in 1985 has prayed for a direction to be given to the respondent to appoint the applicant as a Khalasi w.e.f. 1.1.1986 on the basis of his physical working in the years 1968 and 1985. The petitioner is relying on the direction given to the Railway Administration by the Railway Board on the basis of the Hon.Surpeme Court's observations in Inder Pal Singh Yadav's case which has laid down a scheme for the regular absorption of the casual labourers who had worked on the railway for various periods prior to 1981 and thereafter.

2. The prayer for issue of a direction for appointing the applicant w.e.f.1.1.1986 definitely does not lie within the ambit of those instructions as according to the scheme laid down by the Hon.Supreme Court, the Railways have to take action to absorb persons in accordance with their seniority and in accordance with the said scheme. However, in case the applicant's case falls within the specification of that scheme and he fulfills necessary requirements, his case may be considered

(A3/2)

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by the respondents for absorption on his turn.

3. This application is disposed of with the above directions finally.

S. Bhargava
MEMBER (J)

अनन्य शर्मा
MEMBER (A)

Dated 26th Oct. 1988

kkb