

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

Registration O.A. No. 439 of 1992

Babadeen and others ... ... ... Applicants.

Versus

Union of India  
and others ... ... ... Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.  
Hon'ble Mr. K. Obayya, Member (A)

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

By means of this application, the applicants have prayed that the respondents may be directed to employ them on the post of Khalasis on which they had worked more than 240 days with smaller breaks. Since the juniors have been appointed with past salaries and other emoluments and benefits to the applicants, and further the respondent no. 1 may be directed to enter the names of the applicants in the live register for which the applicants have made several representations, and further they were allowed to discharge their duties as Casual Khalasi under Public Works Inspectors of Allahabad and Kanpur and other officers of the department.

2. The applicants were appointed in the month of February, 1976 and they were directed to discharge their duties under the Public Works Inspectors, Allahabad and Kanpur. After 29.5.1976, they were not allowed to discharge their duties. The Railway Administration decided and imposed ban for the fresh employment of the fresh candidates since 1.1.1978. The Railway Board has decided that the

ban on the fresh appointments will continue till the employees who had already worked under the rail administration may not be absorbed. As per the allegation of the applicants, their names were in the panel and they were prepared to face the Medical Examination but even then no action was taken. Efforts were made by them for their names in the panel but that was not done.

3. As the applicants have worked for more than 240 days, obviously, certain rights accrued in their favour. Accordingly, the respondents are directed to include the names of the applicants in the Live Register and consider their names for reemployment in case, any person junior to them has been reengaged or subsequently, appointed. Let this decision be done by the respondents within a period of 2 months from the date of communication of this order. The application is disposed of with the above terms. No order as to the costs.

  
Member (A)  
Dated: 11.01.1993  
(n.u.)

  
Vice-Chairman