

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 22nd DAY OF MARCH, 2001

Original Application No.694 of 1992

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.S.BISWAS, MEMBER(A)

1. Roop Singh, a/a 38 years,
S/o Phundi Lal, R/o E-451, Hump Yard
Jhansi.
2. Maqbool Bux, a/a 37 years, S/o
Yakeeb Bux, R/o 247, under Saiyer
Gate, Jhansi.
3. Kailash Nath Kaushik, a/a 36 years
S/o B.P.Kaushik, R/o P.L.
Compound, Sadar Bazar, Jhansi.
4. Basir Ali, a/a 46 years
S/o Subrat Ali, R/o 1, 794 Rani
Laxmi Bazar, Jhansi.
5. Laxman Swarup, a/a 47 years,
S/o Gopal Prasad, R/o Masiha Ganj
Sipri Bazar, Jhansi.
6. Shishikant, a/a 37 years,
S/o Neel Kanth, R/o Masiha Ganj,
Sipri Bazar, Jhansi.
7. Mahesh Chand Shukla, a/a 48 years
S/o Raghunath Prasad Shukla,
R/o Near S.I.C School, Sipri
Bazar, Jhansi.
8. Raghunath Rao, a/a 47 years,
S/o Purushottam Dass, R/o 64
Puchkuiya, Jhansi.
9. Tej pal, a/a 40 years, S/o Balram
R/o 66, Sipri Bazar, Jhansi.

... Applicants

(By Adv: Shri Prakash Chandra)

Versus

1. The Union of India through the
General Manager, Central
Railways, Bombay V.T.
2. The Divisional Railway Manager
Central Railways, Jhansi.

... Respondents

(By Adv: Shri A.V.Srivastava)

O R D E R (Oral)

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JUSTICE R.R.K.TRIVEDI,V.C.

By this application u/s 19 of A.T.Act 1985 applicants have prayed for a direction to the respondents to regularise the service of the applicants as Assistant Time Keeper/Material Checker/Junior Clerk from the date they are working on adhoc basis. The applicant no.1 Roop Singh died during pendency of this OA. 8 applicants initially joined Central Railway in group 'D' posts in 1982 and 1983. They were given adhoc promotion and since ^{they} it is claimed that they are working as Group 'C' employees. Now they are claiming their regularisation in Group 'C' cadre on the post occupied by them belonging to Group 'C' cadre. A Full Bench of this Tribunal in case in OA No.57/96 Aslam Khan Vs.Union of India held as under:-

"A person directly engaged on Group 'C' post(promotional post) on casual basis and has been subsequently granted temporary status would not be entitled to be regularised on Group C post directly but would be liable to be regularised in the feeder cadre in Group D post only. His pay which he drew in the Group C post, will however be liable to be protected."

As already held that direction for regularisation in Group C post cannot be given, as ~~from~~ ^{u u} Group D posts ~~from~~ ^{for promotion} feeder cadre to a particular quota. Thus, the regularisation can be only against group D posts though with pay protection and the concerned employees may be considered for regularisation in Group C post whenever vacancy becomes available in that particular quota. ^{when} face with the aforesaid view of the Full Bench, the

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learned counsel for the applicant stated that respondents may be directed to consider the case of the applicants whenever the vacancies become available next.

The OA is accordingly disposed of finally with the direction to the respondent no.2 to consider the claim of the applicant for regularisation in accordance with rules whenever there is vacancy available. There will be no order as to costs.

S. B. B.
MEMBER(A)

[Signature]
VICE CHAIRMAN

Dated: 22.3.2001

/Uv/