

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

O.A. No. 773/92

Smt. Tijiya, wife of Pardeshi Kahar Applicant

Vs.

Union of India and another Respondents

Hon. Mr. S.N. Prasad, Member (Judicial)

(By Hon 'ble Mr. S. N. Prasad, Member (Judicial))

The applicant, Smt. Tijiya, wife of Pardeshi Kahar, has approached this Tribunal under section 19 of the Administrative Tribunals Act, 1985 with the prayers, inter alia, for directing the respondents to take the applicant in service with immediate effect.

2. The facts of this case in nut-shell, inter alia, are that the applicant was permitted to work as Casual Hot Weather water-woman on 1-4-77 to 31-7-1977 and thereafter every year the respondents used to take work from her till 1985. In the year 1985 the respondents started taking work from her in place of any sick vacancy as would be evident from the entry made in her card (Annexure-1 to the application). Keeping in view the long period of work done by the applicant, she was accorded the status of M.R.C.L. by the Department concerned (respondent) from 2-4-1986 (Annexure -2 to the application). The total working period of the applicant counting as 1232 days was verified by the Station Master concerned on 6-7-1988 (Annexure No.3 to the application) and the applicant was also found medically fit by the medical board on 15-4-1987.

3. The main grievance of the applicant appears to be that after 28-7-1988 she was not given any work by the respondents despite her persistent representations (vide Annexures A-4 to A-10 to the application) and as such

the applicant has approached this Tribunal for the relief sought for as detailed in the application.

4. I have heard the learned counsel for the applicant and have thoroughly gone through the contents of the application and the papers annexed thereto. The learned counsel for the applicant, while drawing my attention to the contents of the application and the papers annexed thereto has pointed out that despite rendering ~~her~~ ^{her} service for 1232 days intermittently during the period ranging between 1-4-1977 to 28-7-1988 and despite her being found medically fit, and despite the fact that she has been accorded temporary status, the claim of the applicant has been ignored by the respondents and she has not been provided any job commensurate with her physical fitness, ability and aptitude; and has further urged that the ends of justice would be met if a direction is issued to the respondents to consider the matter of the applicant from proper perspective and to provide job to the applicant preferably as Hot weather water-woman.

5. Having considered all the view points and all the aspects of the matter I find that the ends of justice would substantially be met if the respondent No.2 the D.R.M.(P). C.Rly. Jhansi, be directed to consider the representations of the applicant dated 28-6-89, 4-4-90, 19-7-90, 16-4-91, 10-11-91, 2-1-92 and 23-3-92 (Annexures A-4 to A-10 to the application) from proper perspective by reasoned and speaking order, keeping in view the facts as mentioned in Annexure A-1, A-2 and A-3 to the application, for providing a suitable job preferably as Hot weather

water-woman, to the applicant within a period of one month from the date of receipt of the copy of this order, and I order accordingly.

The application of the applicant is disposed of at admission stage in the above terms without any order as to costs.


Member (J)

5.6.92

Dated 5th June, 1992, Allahabad.

(tgk)