

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,

ALLAHABAD.

O.A.No.926/92

Shri Gaj Raj ... Applicant

Vs.

Union of India & Others ... Respondents

Hon. Mr. S.N. Prasad, J.M.

(By Hon. Mr.S.N.Prasad, J.M.)

The applicant has filed this application under section 19 of the Administrative Tribunal's Act, 1985.

2. The main grievance of the applicant appears to be that he joined the Railways as a casual labour on 6-12-85. He completed 120 days and thus he became MRCL (Monthly rated casual labour) duly protected under Rule 2516 of the Indian Railways Establishment Manual. Thereafter the applicant worked during 26-8-86 to 18-10-86 and was also issued casual labour card No.172692 duly issued by respondent No.2 and verified by P.W.I., Karvi, on 26-3-1991 (Annexure A-I of second compilation). For issue of fresh casual labour card sanction of Chief Personnel Officer was necessary and accordingly the applicant was also issued fresh casual labour card.

3. The learned counsel for the applicant while drawing my attention to the contents of the application and the papers annexed thereto, has urged that the counter-parts of the applicant who are junior to him have been taken back in service after verification of records, but the applicant's case has not been considered by the respondent No.2 so far, and the

representation to this effect is still lying undecided with the D.R.M., Jhansi. Learned counsel for the applicant has further urged that if the above representation of the applicant is decided by the respondent No.2 in accordance with the extant rules & regulations, this may go a long way in substantially redressing the grievance of the applicant. Though the applicant has alleged that his juniors have been taken back in employment by the respondents, there is no material on records to substantiate this. However, to verify the veracity of the allegations of the applicant it would be expedient that the matter is investigated by the respondent No.2 and in case the above allegations of the applicant are found to be correct, then, there should be no hesitation on the part of the respondent No.2 to redress the grievance of the applicant (as mentioned in his representation), ² as per extant rules. ~

4. Having considered all the facts and circumstances of the case and all the aspects of the matter, I find it expedient that the ends of justice would be served, if the respondent No.2 (Divisional Railway Manager, Central Railway, Jhansi) is directed to decide the above representation of the applicant dated 2-1-1991 (Annexure-II) after making necessary verifications, by reasoned and speaking order in accordance with extant rules, regulations and orders of the Rly. Board in this regard, within a period of two months from the date of the receipt of the copy of this judgment; and I order accordingly. It is made clear that in case if the above representation of the applicant dated 2-1-1991 (Annexure-III) is not readily available with the respondent No.2, a copy thereof may be furnished by the applicant to the respondent No.2 to enable him to decide the same as directed above, within the aforesaid specified period of two months.

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


Member (J) 4.8.92

Dated: 4-8-92, Allahabad.

(tgk)