

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

Dated: Allahabad, the 9th day of April, 2001.

Coram: Hon'ble Mr. Justice R.R.K. Trivedi, VC
Hon'ble Mr. S. Dayal, A.M.

ORIGINAL APPLICATION No. 459 OF 1993

1. Lala Ram, s/o Sri Yad Ram

2. Surendra s/o Sri Keval Singh

(Both residents of village Rampur,
P.O. Hathras Jn. District Aligarh)

..... Applicants

(By Advocate: Sri Anand Kumar)

Versus

1. Union of India through General Manager,
N. Rly., Baroda House, New Delhi.

2. Divisional Railway Manager,
N. Rly., Allahabad.

3. Divisional Engineer (Track),
N. Rly., D.R.M. Office, Allahabad.

4. P.W.I. (Special) P.Q. R S.,
N. Rly., Allahabad.

..... Respondents

(By Advocate Sri N.K. Shukla *T.N. Kaul*)

ORDER (ORAL)

(By Hon'ble Mr. Justice R.R.K. Trivedi, VC)

By this O.A., the applicants have prayed to
quash the oral termination order with a direction

Contd..2

*Corrected by order
dated 11/9/2002*

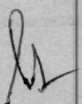
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2.

to respondents to reinstate them in service with back wages and seniority. Along with O.A., applicants have filed certificates, showing that the applicant no.1 Lala Ram worked from 14.12.81 to 14.3.83 for a total working days of 250, whereas the applicant no.2 worked from 14.4.81 to 14.3.83, i.e. for 292 days. This factual aspect is admitted in Paragraphs 5 & 6 of the written reply. As the applicants had already worked for more than 120 days, though in broken spells, they were entitled for temporary status. The contention of the respondents that they could not be entitled for temporary status does not appear to be correct. It has also been alleged that the applicants had never reported or offered themselves for service, hence they could not be engaged. However, for this no material exists on the record to record the finding. The applicants before coming to this Tribunal made an application before the D.R.M., Respondent no.2, requesting him to re-engage and to consider all the previous workings. Their application has not been disposed of so far.

2. Considering the facts and circumstances of the case, we dispose of this O.A. with a direction to the Respondent No.2 to consider and decide the application of the applicants by a reasoned order within a period of three months from the date a copy of this order is filed. In order to avoid delay, it shall be open to the applicants to file a fresh copy of the application along with the copy of the order. No order as to costs.


(S. DAYAL)
MEMBER (A)


(R. R. K. TRIVEDI)
VICE- CHAIRMAN

Nath/

MA. 2169/02
in
OA. 459/93

11-9-2002

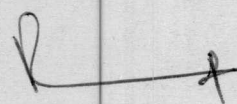
Hon. Mr. Justice R. R. K. Toivedi, V.C

Hon. Mr. S. Dayal, A.M

This application is for correction of our order dated 9-4-2001 passed in OA 459/93. Shri T. N. Koal has submitted that he had also filed Vakalatnama ~~for~~^{on} behalf of respondents, but his name is not shown in the order. On perusal of the record it appears that the Vakalatnama was filed for respondents both by Shri N. K. Shukla and Shri T. N. Koal. Let name of Shri T. N. Koal be also mentioned along with name of Shri N. K. Shukla ^{as} counsel for the respondents.

The application is disposed of. Order is corrected. Office to correct the same in the certified copy.


A.M


V.C

madhy/