

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 28th day of June 2000.

Original Application no. 484 of 1993.

Hon'ble Mr. S.K.I. Naqvi, Judicial Member

Hon'ble Mr. M.P. Singh, Administrative Member

1. Monaj Kumar, S/o Parmatma Prasad,
R/o 112, Mohitsimganj, Allahabad.

2. Jai Prakash, S/o Amar Deo Singh,
R/o 115/8, Kariyappa Road,
Allahabad.

... Applicant

C/A Shri O.P. Gupta

Versus

1. Chief Medical Superintendant,
Northern Railway, Civil Lines,
Railway Hospital, Allahabad.

2. Divisional Railway Manager,
Northern Railway,
Allahabad.

3. Union of India through General Manager,
Northern Railway,
Baroda House,
New Delhi.

... Respondents.

C/rs Shri P. Mathur

PM

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O R D E R

Hon'ble Mr. S.K.I. Naqvi, Member-J.

The applicant has come up before the Tribunal seeking relief to the effect that the respondents be directed to give employment to the applicants immediately, in view of their past services rendered in 1987 and also respondents be directed to consider the name of the applicant for regular selection of Group 'D' post.

2. The applicants have come up on the strength that during the period between April 1984 to August 1987, they worked for more than 400 days and thereby they obtained temporary status in view of the provision of para 2006 of IREM (volume 2).

3. The respondents have contested the case and filed CA in which contention of the applicant regarding the days they worked as waterman with the respondents has not been disputed and it has been mentioned that particulars of all such casual labours including the applicant have already been sent to competent authority for necessary action as provided under law. It has been specifically denied that the juniors to the applicants have been provided job.

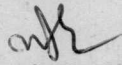
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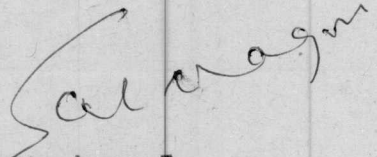
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4. Heard learned counsel for the rival
contesting parties and perused the records.

5. The respondents have^{not} denied that the
applicant worked with the respondents' establishment
for more than 400 days as waterman. It has not been
specifically denied or contested that as per provision
in para 2006 of IREM (Volume 2), the casual waterman
for summer season shall be eligible for temporary
status on completion of 120 days of continuous
service. It is an admitted case of the respondents
that the particulars of such casual labour, as the
applicant, have already been sent to competent
authority for necessary action as provided under law.
For the above we do not find a fit matter to issue
directions as prayed for because the respondents
are themselves considering the claim of the applicant.
It is not the case where any junior of the applicant
has been given job in preference to applicant, Though
it has been pleaded by the applicant^{but} have not
substantiated by mentioning any specific instance.

6. With the above observation, the OA is
~~dismissed~~^{decided} with no order as to costs.


Member-A


Member-J

/pc/