

- 9 -

OPEN COURT

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL BENCH ALLAHABAD
ADDITIONAL BENCH AT ALLAHABAD

* * *

Allahabad : Dated this 10th day of March, 1997

Original Application No. 510 of 1993

District : Jaunpur

CORAM:-

Hon'ble Mr. S. Das Gupta, A.M.

Hon'ble Mr. T.L. Verma, J.M.

1. Kesh Kumar, Son of Ram Shiv Nayak,
Resident of Village Dhari Pur, Post-
Prem Kapura, District-Jaunpur.
2. Virendra Prasad Yadav, Son of Sri Ram Khelawan
Yadav, Resident of Village Dharipur, Post-Prem
Ka Pura, District-Jaunpur.
3. Chote Lal Patel, Son of Sri Ram Charan Patel,
Resident of Village Bhawani Garh, Post Kahla,
District-Pratapgarh.
4. Hari Bahadur Yadav, Son of Jokhai Ram Yadav,
Resident of Village & Post Doahi, Distt-Pratapgarh.
5. Hira Lal, Son of Jagganath, Resident of Village
and Post Sidhauri, District Pratapgarh.
6. Jagdish Kumar Son of Ram Dularey, Resident of
Village Behdaul Khurd, Post Gaura, District
Pratapgarh.
7. Ram Ganesh Son of Baij Nath Yadav, ~~Resident~~
Resident of Village Gaura Pure Bada, District
Pratapgarh.
8. Ram Dhari, son of Sri Lala, Resident of Village
Rampur Sawai, Post Rajjupur, District Jaunpur.

(By Sri Sanjay Kumar, Advocate)

. Applicants

Versus

1. Union of India, through the Secretary,
Railway Board, New Delhi.
2. General Manager, Northern Railway, Baroda House,
New Delhi.
3. Divisional Railway Manager, Northern Railway,
Divisional Railway Manager Office, Nawat Yusuf
Road, Allahabad.

SL

4. Senior Divisional Commercial Superintendent,
Northern Railway, Divisional Railway, Manager
Office, Nawab Yusuf Road, Allahabad.

(By Sri S.N. Gaur, Advocate)

. Respondents

ORDER

By Hon'ble Mr. S. Das Gupta, A.M.

The applicants in this case were voluntary Ticket Collectors. They were employed for a very short period and, therefore, their services were terminated. The applicants have approached this Tribunal seeking a direction to quash the order by which their services were terminated with all consequential benefits and for issue of a direction to the respondents to give benefit to the applicants of the Railway Board Scheme contained in their letter dated 6-2-1990 reinstating the applicants and regularising their services.

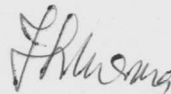
2. The controversy in this matter now stands settled by the decision of the Hon'ble Supreme Court in the SLP No. 9606-9608 and several others of 1995, which were decided by a common order dated 19-2-1996. By this order, the Hon'ble Supreme Court has set aside the decision of ^a the Bench of this Tribunal rejecting the DA filed by voluntary Ticket Collectors for being granted the benefit of Railway Board Scheme for regularisation. The respondents have been directed in this order to examine the case of those appellants in accordance with the directions contained in Paras 37 and 38 of the Tribunal's Judgement in the case of Usha Kumari Anand.

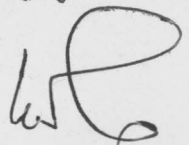
3. The decision in the case of Usha Kumari Anand

W.S.

was given by the Principal Bench of the Tribunal and reported in ATR 1989 (2) CAT 39. Although the case of Usha Kumari Anand relating to employment of Booking Clerks, in view of the Hon'ble Supreme Court's decision in the SLP, the aforesaid decision shall be equally applicable to voluntary Ticket Collectors. We accordingly, dispose of this OA with the direction to the respondents to examine the case of the applicants in accordance with the directions contained in Para 37 and 38 of the Tribunal's decision in the case of Usha Kumari Anand.

4. There shall be no orders as to the cost.


Member (J)


Member (A)

Dube/