

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS 2ND DAY OF NOVEMBER, 2000

Original Application No.521 of 1993

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.S.BISWAS, MEMBER (A)

1. Amar Nath Mishra, S/o Sri laxmi Mishra  
Village Kurthia, P.O.Maheshpur  
Tehsil Sadar, District  
Gopal Ganj(Bihar)
2. Nand Kishore Yadav, S/o Shri Sumer  
R/o Village Dharmpur, P.O.Salempur  
District Deoria.
3. Ram Nayan, S/o Sahdeo,  
R/o Village Gavnaria,  
P.O.Bharheychaura  
District Deoria

... Applicants

(By Advs S/Shri R.K.Tewari/H.S.Tripathi &  
S.K.Pandey)

Versus

1. Union of India through Ministry  
of Railways.
2. D.R.M., Northern Railway,  
Varanasi.

... Respondents

O R D E R(Oral)

(By Hon.Mr.Justice R.R.K.Trivedi,V.C.)

By this application under section 19 of the A.T.Act 1985 applicants have prayed that respondents may be directed not to accommodate any casual labour on regular basis/post in Varanasi Division and from outside Division. It has been prayed that applicants may be appointed on regular post/on vacant posts after declaring the result of the screening test held on 20.1.1992. This OA was filed on 2.4.1993. Unfortunately it has neither been heard nor any notice has been sent to respondents. A long time has already elapsed. However it appears that before coming to this Tribunal, the applicants made representations to respondent no.2 Divisional Railway Manager, N.E.Railway, Varanasi. It has been

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submitted that no order has been passed on the representations and they are still lying undecided. It has also submitted that on 15.7.1992 Screening Test was held in pursuance of the Advertisement dated 17.12.1991 which has been cancelled on 15.7.1992. Learned counsel has submitted that the applicants were selected but without giving reasonable opportunity of hearing the impugned order dated 15.7.1992 was passed. Considering the aforesaid aspect we are of the view that ends of justice shall be served if the applicants are given liberty to make a fresh application before the Respondent no.2 within two weeks, which may be directed to be decided by Respondent no.2 within the specified time.

The application is accordingly disposed of finally with the liberty to file representation before the Respondent no.2 within three weeks from the date, <sup>from the date of receipt of</sup> ~~XXXXXX~~ <sup>copy of the order</sup> ~~XXXXXX~~. If the representation is so filed, it shall be considered and decided by the Respondent no.2 by a reasoned order after hearing the applicant within three months from the date a copy of this order is filed before him.

There will be no order as to costs.

*g. Basu*  
MEMBER(A)

*H*  
VICE CHAIRMAN

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