

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 19th day of March 2001.

original Application no. 303 of 1994.

Hon'ble Mr. Rafiq Uddin, Member-J

Hon'ble Maj Gen K.K. Srivastava, Member-A.

Arab Singh,  
S/o Debi Singh,  
R/o Village Debipur, P.O. Rajmans,  
MAINPURI.

... Applicant

C/A 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.,

ALLAHABAD.

4. Chief Permanent Way Inspector,

N. Rly.,

MAINPURI.

... Respondents

C/Rs Sri A.V. Srivastava  
Sri B. Bhushan

...2/-

O R D E R (Oral)

Hon'ble Mr. Rafiq Uddin, Member-J.

By means of this OA the applicant seeks direction to re-engage and absorb him in service and to give all consequential benefits including of service, seniority and back wages on the ration<sup>al</sup> laid down by the Hon'ble Supreme Court.

2. It is an admitted<sup>case</sup> that the applicant was initially appointed as a Casual labour under P.W.I. Mainpuri on 23.12.77. He worked upto 14.4.81 with breaks. The applicant <sup>was</sup> has also issued casual labour card no. 214941 and his total working days is 385 with breaks. It is also admitted case that his name has been included in the Live Casual Labour Register at sl. no. 1270.

3. We have heard learned counsel for the parties and perused the record.

4. It has been contended by the learned counsel for the respondents that since no junior to the applicant has been engaged as casual labour, the applicant has no cause of action. It is, however, admitted by learned counsel for the respondents that the applicant will be engaged as casual labour as and when his turn comes, as per his seniority, in Live Casual Labour Register maintained by Chief P.W.I. and also his case may be considered for screening at Divisional level by Divisional Engineer (Tracks).

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We accordingly, dispose of this OA with the direction to respondent no. 4 to re-engage the applicant as casual labour as and when vacancy is available at his turn. Similarly, the applicant will also be considered for screening by Divisional Engineer (Track) as per his turn and on the basis of seniority in Live Casual Labour Register.

5. No order as to costs.

*Mony*  
Member-A

*Darivudda*  
Member-J

/pc/