

(5)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 27th day of March, 2001

Original Application No. 948 of 1994

CORAM :-

Hon'ble Mr. SKI Naqvi, J.M.

Hon'ble Mr. Gen KK Srivastava, A.M.

Hidayat Ullah Chauhan S/o Shri Shaukat Ullah Chauhan,
R/o 221, Noorullah Road, Allahabad.

(Sri Satish Dwivedi, Advocate)

..... Applicant

Versus

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

2. Divisional Railway Manager,
Northern Railways, Allahabad.

3. Chairman, Railway Services Commission/
Railway Recruitment Board,
Nawab Yusuf Road, Allahabad.

(Sri AK Gaur, Advocate)

..... Respondents

ORDER (oral)

By Hon'ble Mr. SKI Naqvi, J.M.

As per applicant's case, he was employed as casual labour in the Railway Service Commission, Allahabad in August, 1981 and he continued to work upto October, 1981, and thereafter he has not been engaged and his juniors and fresh appointees have been preferred against his claim in contravention of Railway Board's Circular dated 17-4-1984, a copy of which has been annexed as Annexure-A-2 to the OA. The applicant preferred a representation, the copy of which is Annexure-A-5, but of no avail and,

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therefore, he has come up before this Tribunal seeking the relief to the effect that the respondents be directed to absorb the applicant in regular vacancy of Class IV employees and till the regularisation he may be allowed to work as casual worker.

2. The respondents have contested the case mainly on the ground that the benefit of referred Railway Board Circular dated 15-4-1954 is not available to the applicant because he was not on the roll of Railway Service Commission, Allahabad on 8-7-1983.

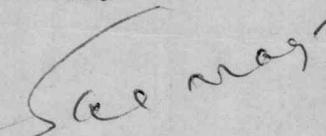
3. We have perused the records and a ~~close~~ study of referred Railway Board order, we find that the Railway Board had also considered the matter of those who were not on roll of the Commission on 8-7-1983 but were to be preferred against fresh cases.

4. For the above, we find it a fit matter to decide at this stage as under.

5. In case the applicant makes a fresh representation within a month's time, the same may be decided by the competent authority in the respondents establishment within four months thereafter by passing a detailed speaking order with reference to rules in this regard and direction as per Railway Board's letter dated 17-4-1984, copy of which has been annexed as Annexure-A-2 to the OA. There shall be no order as to costs.



Member (A)



Member (J)

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