

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

...
O.A. No. 53 of 1995

Dated: 17th July, 1995

Hon. Mr. S. Das Gupta, Member(A)
Hon. Mr. J.S. Dhaliwal, Member(J)

1. Sunil Kumar Singh, son of Shri Ramjee Prasad, Singh, aged about 28 years, R/o E 17AEN Colony, Northern Railway, Varanasi Cantt.
2. Subhas Kumar son of Shri Avadh Kishore Rai, aged about 25 years, R/o E 170 AEN Colony, Varanasi. ... Applicants.

(By Advocate Sri N.N. Lahiri)

Versus

1. Union of India, through G.M. N.E. Railway, Gorakhpur.
2. D.R.M. N.E. Rly. Varanasi Division, Varanasi ... Respondents.

ORDER

(By Hon. Mr. S. Das Gupta, Member(A))

We have heard Sri N.N. Lahiri, learned counsel for the applicant at the time of admission.

Both the applicants in this case were the sons of serving Railway Employees and were appointed as Mobile Booking Clerks. The applicant no. 1 was so appointed on 1.6.1986 at Chapra and he continuously worked upto 31.7.1986 for a period of 61 days. The applicant No. 2 was appointed as Mobile Booking Clerk on 1.8.1986 also in Chapra. He worked in two

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spells from 1.8.1986 to 31.8.1986 and again from 1.10.1986 to 31.10.1986 for a total number of 61 days. Their services were terminated on 31.7.1986 and 31.10.1986 respectively by verbal orders.

2. The applicants have sought the relief of a direction to the respondent to reengage them on the ground that their cases are fully covered by the judgment rendered by the Tribunal in the case of Usha Kumar Anand Vs. Union of India. It has further ^{been} ~~been~~ prayed that they be conferred with temporary status and brought on the permanent establishment after they have completed 3 years of service as Mobile Booking Clerk.

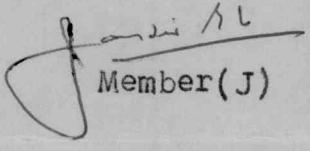
3. We noted that this case is fully covered by ^{the} recent judgment of a Bench of this Tribunal dismissing a bunch of O.As. of which the leading case is that of Dilip Kumar and others Vs. Union of India and others O.A. No. 83 of 1992. The decision of the Tribunal was rendered on 19.12.1994. The case before us being fully covered by the said decision also deserves to be dismissed in limine. The learned counsel for the applicant, however, contended that since certain other decisions of the Tribunal would go in their favour, the entire issue be referred to a larger bench for resolving the controversy.

4. We have carefully considered the submissions of the learned counsel for the applicant. We have,

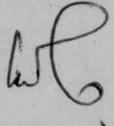
18.

however, seen that the decision of the Tribunal rendered on 19.12.1994 was given after considering various decision given by other benches of the Tribunal on this issue, We ~~are~~, therefore, do not consider it necessary at this stage to make a reference to a larger bench.

5. In view of the foregoing, the O.A. is dismissed in limine. There shall be no order as to costs.


Member (J)

(n.u.)


Member (A)