

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 957 of 1999

Allahabad this the 07th day of August, 2001

Hon'ble Mr.S.K.I. Naqvi, Member (J)

Uma Shankar Sharma, son of Sri Shiv Prasad Sharma,
resident of 26-E/5-R/3-A, Chak Niratul, Post Chakiya,
District Allahabad.

Applicant

By Advocate Shri C.P. Gupta

Versus

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway, Allahabad.
3. Electrical Foreman/Airconditioning, Northern Railway, Allahabad.
4. Sr.Electrical Foreman(Train Lighting), Northern Railway, Allahabad.

Respondents

By Advocate Shri A.C. Mishra

O_R_D_E_R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

Shri Uma Shankar Sharma has come up seeking relief to the effect that the respondents be directed to re-engage the applicant as casual carpenter/khalasi with temporary status and regularise his services

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after screening in accordance with Circular dated 09.10.1998. He has put his prayer on the strength that he worked as Carpenter on casual basis w.e.f. 24.11.1982 and continued as such till 04.12.1983 in different spells. He has also a period of 182 days of continuous work in between 01.4.1982 to 29.09.1983. Regarding his working, he has ~~also~~ mentioned that he was engaged as casual Khalasi again on 03.04.1984 and worked upto 04.10.1984, and in between this period he attained the temporary status and got mentioned his name in the Live Casual Labour Register. Shri C.P. Gupta, learned counsel for the applicant mentioned that as per subsequent information gathered by the applicant, his name finds mention at serial no.5669 in the list of Live Casual Labour Register. He has grievance that inspite of his having worked for such a good period of time and continuous span, fresh faces have been preferred as against his claim and, therefore, he has come up seeking the above relief.

2. The respondents have contested the case and filed the counter-reply.

3. The position that the applicant has actually been mentioned in the Live Casual Labour Register and assigned a definite serial, has come up from step to step. In the O.A., there is only mention that he ought to have been in that register. In the rejoinder, he ^{says} ~~that~~ that he is sure that his name is there and during the course of arguments there is mention of serial number, but all

this indicates that there is some force in his so saying and atleast he deserves some preferential treatment as against the just fresh faces.

4. For the above, the O.A. is decided with the observation that the applicant shall contact the competent authority in the respondents establishment with all evidence available with him to show that he worked earlier and after due scrutiny from the relevant record, the applicant be provided with benefit as per his entitlement and admissibility under rule and directions in this regard. No cost. *It be done with in a period of six months.*

S. C. N. Agn.
Member (J)

/M. M. /