

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1119 of 1999

Dated: This the 06th day of August, 2004

HON'BLE MRS. MEERA CHHIBBER, MEMBER(J)

Nagendra Pal, son of Sri Jashrath Singh,
Resident of village Nauli, Post Pilkhana,
District - Farrukhabad.

....Applicant.

By Advocate : Shri Sudama Ram, Shri Anand Kumar,
Shri Anand Kumar.

Versus

1. Union of India through General Manager,
Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway,
Allahabad.
3. Permanent Way Inspector/Section Engineer,
Northern Railway, Mainpuri.

....Respondents.

By Advocate: Shri Prashant Mathur

O R D E R

By Hon'ble Mrs. Meera Chhibber, JM

By this U.A. applicant has sought the
following relief(s):-

(i) The Tribunal may kindly be pleased to
direct the respondents to grant temporary
status and register the name of the appli-
cant in casual labour live register, if not
registered.

(ii) The Tribunal may kindly be pleased to
direct the respondents to re-engage the

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applicant as casual labour with temporary status any-where in Allahabad Division and absorb and regularise him against Group 'D' Post under the relevant rules as well as on the basis of the direction given by the Apex Court in Indra Pal Yadav and Basant Lal's cases.

(iii) Any other suitable writ, order or direction which this Tribunal may deem fit and proper in view of the facts and circumstances of the case may also be issued.

(iv) Costs of the application may be awarded in favour of the applicant. "

2. After filing of the U. A. applicant has filed an amendment application stating therein that applicant's name has already been registered at page no. 19 of Register No.3 of Permanent Way Inspector, Manpuri. All the formalities were already completed for compliance of the the instructions of the DRM/Allahabad dated 22.9.1998."

3. ^{is R} He has, thus, prayed that the only relief he wants ^{is R} that his case should be considered as and when his turn ^{is R} comes as per the Casual Labour Live Register. Even though this U.A. was filed as back as in 1999 but the amendment application has been filed by the applicant only in the year 2004. At this stage it would not be proper to reopen the case and to start the proceeding afresh but in view of the fact that applicant ~~has~~ restricted his prayer only to the effect that as and when his turn comes, he may be considered, this U.A. is being disposed of by giving direction to the respondents that in case his name is registered at page 19 of Register no.3 of Permanent Way Inspector, Manpuri as claimed by the applicant and that ^{is a} valid register in accordance with the various instructions, then they shall consider to

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reengage the applicant as and when the vacancy arises as per his turn. In case the register as mentioned by the applicant in the amendment application is not ~~there~~ in accordance with the instructions and rules of the railways, they shall pass an order to that effect under intimation to the applicant. This shall be done within a period of 4 months from the date of receipt of a copy of this order.

4. The D.A. is accordingly disposed of ~~accordingly~~ with no order as to costs.



Ramber(

Member(3)

Brijesh/-