

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 25TH DAY OF FEBRUARY, 2003

Original Application No.1121 of 1999

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

Jitendra Prasad, S/c Shri Ganga  
Prasad, R/o Mchalla Sahapur,  
Jail raod, Post Geeta Vatika  
district Gorakhpur.

... Applicant

(By Adv: Shri B.Tewari)

Versus

1. Union of India through  
the General Manager,  
N.E.Railway, Gorakhpur.
2. Senior Divisional Personnel Officer  
N.E.Railway, Lucknow.

... Respondents

(By Adv: shri A.K.Gaur)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA u/s 19 of A.T.Act 1985 applicant has  
prayed for a direction to the respondents to  
regularise services of the applicant as Group 'D'  
staff in the scale of Rs 2550 to 3200 with benefit of  
seniority and other benefits as granted to the others.

The case of the applicant is that he was engaged  
as casual labour under work inspector, N.E.Railway,  
Chhapra. he worked there for 148 days. Subsequently,  
he worked for 57 days under Loco Foreman, N.E.Railway  
at Mailani. Copy of the casual card has been filed as  
(Annexure 1). The case of the applicant is that in the

screening held by respondents he was screened on 22.4.1986 and 4.10.1987. Many persons who had appeared alongwith him in screening have been regularised but the applicant has not been given chance. It is also submitted that applicant made representations on 27.7.1993 and 31.3.1998 which have been filed as (Annexures 2 & 3) but no action has been taken.

Resisting the claim of the applicant respondents have filed counter reply wherein it is stated that large number of persons appeared in screening on the basis of the fake working certificates. The matter was subsequently handed over to vigilance and the vigilance inquiry was pending, hence applicant could not be appointed. However, the respondents have not made any clear averment about the result of the vigilance inquiry. The case of the applicant is that many persons, who had appeared alongwith him and had less number of working days, have already been regularised.

Considering the aforesaid aspect in my opinion, the ends of justice shall be better served if respondent no.2 is directed to consider the representation of the applicant and decide the same by a reasoned and detailed order within a specified time.

The OA is accordingly disposed of finally with the direction to respondent no.2 to consider and decide the representations of the applicant mentioned above by a reasoned and detailed order within three months from the date a copy of this order is filed before

:: 3 ::

him. It shall be open to the applicant to file a fresh copy of the representation alongwith copy of this order including the judgments given in similar circumstances. There will be no order as to costs.

  
VICE CHAIRMAN

Dated: 25th February, 2003

Uv/