

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.1457 OF 1999
ALLAHABAD THIS THE 23rd DAY OF JANUARY, 2003

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

1. Chhotey Lal Sahu,
S/o Late Babu Lal Sahu,
230A/1, Sultanpur Bhawa,
Gangaganj,
Allahabad-Vendor.
2. Pyare Lal Gupta,
S/o Late Ganga Prasad Gupta,
51A/223 Bhawapur,
Allahabad-Vendor.
3. Kishori Lal Kesharvani,
S/o Chhotey Lal,
82/15 Rajarewa Building Katju Road,
Allahabad-Vendor.
4. Ravi Shanker Sahu,
S/o Chhotey Lal Sahu,
230A/1, Sultanpur Bhawa Ganga Ganj,
Allahabad. Vendor-Helper
5. Umesh Kumar Gupta,
S/o Pyare Lal Gupta,
51A/223 Bhawapur,
Allahabad. Vendor-Helper.
6. Raju Chaurasiya,
S/o Late Radhey Shambhoo Chaurasiya,
88 Raja Rewa Ka Hata-Leader Road,
Allahabad. Vendor-Helper. Applicants

(By Advocate Shri A.K. Srivastava)

Versus

1. Union of India,
through Chairman Railway Board,
Rail Bhawan-New Delhi.
2. General Manager,
Northern Railway,
Baroda House,
New Delhi.
3. Divisional Rail Manager,
Northern Railway,
Allahabad Division,
Allahabad.
4. Senior Divisional Commercial Manager,
Northern Railway,
Allahabad Division,
Allahabad. Respondents

(By Advocate Shri A.K. Gaur)



O R D E R


HON'BLE MR. JUSTICE R.R.K. TRIVEDI, VICE-CHAIRMAN

By this O.A. filed under section 19 of Administrative Tribunals Act 1985, the applicant has prayed for a direction to respondents to stop treating the applicant as Contract Commission Vendors and helpers at Allahabad Railway Station and as they are working as Vendor and helper for selling the meal to the train passengers. It has also been prayed to extend the same benefits to the applicant herein as has been given by the Hon'ble Supreme Court to similarly situated persons.

2. Reliance has been placed by the applicants on the judgement of Hon'ble Supreme Court in Case of M.M.R. Khan and Others etc. Versus Union of India and Others etc. JT 1990 (3) S.C.1. Before coming to this Tribunal the applicants have filed a representation addressed to Chairman, Railway Board through proper channel. A copy of the representation dated 12.08.1999 has been filed as Annexure-9 to the O.A.

3. In my opinion, the ends of justice shall be better served if the General Manager, Northern Railway, (respondent no.2) is directed to consider and decide the representation of the applicants by a speaking order in the light of judgement of Hon'ble Supreme Court on this issue.

4. The O.A. is accordingly disposed of finally with direction to respondent no.2 to consider and decide the representation of the applicants in the light of judgement of Hon'ble Supreme Court, copies of which shall be filed by the applicant alongwith copy of the representation and copy of this order, before the concerned authorities. The representation shall be decided within three months. No costs.


Vice-Chairman