

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH  
ALLAHABAD.

Allahabad this the 2nd day of January 2001.

Original Application no. 1482 of 1999.

Hon'ble Mr. S.K.I. Naqvi, Judicial Member

1. Munnu Lal, S/o Pitai,  
R/o Uthagi P.O. Athrampur,  
Distt. Allahabad.
2. Sukru Ram, S/o Kallu Ram,  
R/o Village Jagdishpur Pure Chandra,  
Post Tharwai, Distt. Allahabad.
3. Om Prakash, S/o Gajadhar Prasad,  
R/o 252 Harwara, P.O. Dhumanganj, Allahabad.
4. Madan Lal, S/o Jagannath,  
R/o 47, Lukarganj, Allahabad.
5. Sunil Kumar, S/o Ram Sewak,  
R/o 120 Purani Station Near Bijlighar,  
Kanpur.
6. Ashok Kumar, S/o Sohan Lal,  
R/o 220 Lukarganj Karbala Chauraha,  
Allahabad.
7. Chandra Kishor S/o Babu Lal,  
R/o 132/453 Babu Purwa Munshipurwa,  
Distt. Kanpur.
8. Ajai Kumar, S/o late Anandi lal,  
R/o 11/199 Tula Ram Bagh, Allahabad.
9. Bachchi lal, S/o Jaggu lal,  
R/o 18/2 Karailabagh Colony, Harijan Basti,  
Allahabad.

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10. Moti Lal, S/o Mata Deen,  
R/o 135 Purana Bairahna,  
P.O. Allahpur, Allahabad.

Prasad Chhetri  
22/11/2001

11. Chhanney Lal, S/o Kallu,  
R/o 478 Sulem Sarai, Tarbagh,  
Allahabad.

12. Narottam Das, S/o late Shri Dhani Ram  
R/o 256 P.B. Kyed Ganj, Allahabad.

13. Yaseen, S/o Imami, R/o Civil Lines  
House no. 19 Elgin Road, Allahabad.

... Applicants

C/As Shri H.P. Pandey

Versus

1. Union of India through General Manager,  
N. Rly., Baroda House, New Delhi.
2. D.R.M. N. Rly., Lucknow.
3. D.R.M. N. Rly., Allahabad.

... Respondents

C/!Rs Sri A.V. Srivastava  
Sri G.P. Agarwal.

O R D E R (Oral)

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

Applicants, Munna Lal and 12 others have come up seeking relief to the effect that the respondents be directed to send their names for regularisation and re-engagement in pursuance of Railway Board's circular dated 08.09.1996. It

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has also been claimed in the relief clause that the juniors to the applicants with lesser number of working days have already been engaged in the Railway Department.

2. As per applicant's case, they were engaged in the respondents establishment as casual labours on the basis of their seniority, <sup>and</sup> ~~counted~~ <sup>they have</sup> by taking into consideration the number of days <sup>worked</sup>, they have already been brought on live casual labour register. The applicants have mentioned their sl. no. in live casual labour register and have a grievance that inspite of their juniors having been given regular appointment, they have been ignored <sup>as against</sup> ~~inspite~~ <sup>the</sup> of fact that their names were forwarded to D.R.M. Lucknow for the purpose, but because of some technicalities, beyond the control of applicants, they could not get their entitled benefit. The applicants have brought on record the circular dated February 1997, through which their willingness was sought and also copies of their willingness which mentions their sl. no. in live casual labour register. Annexure A-7 is letter dated 08.06.1998, through which Divisional Office, Lucknow, has sought for some clarification from D.R.M. Allahabad and it indicates that the matter was at hot pursued. When the juniors to the applicant were engaged ignoring the claim of the applicant, they have come up for direction as above by the Tribunal.

3. The respondents have contested the case and filed C.A. raising technical objection in respect of casual labour card and other formalities.

4. Heard the learned counsel for the rival contesting parties and perused the record.

5. The respondents have not specifically denied the position regarding the enlistment of the applicant in live casual labour register, there is also no denial of internal correspondence in respect of service regularisation. If, there is any technical lacuna <sup>made</sup> ~~that~~ they could have been ~~xxxx~~ <sup>made</sup> come up giving an opportunity to these illiterate/labour class persons.

6. For the above I find the matter, fit to be remanded for fresh consideration by the Competent Authority in respondents establishment and decide the case with the direction that in case the applicants moves fresh representation before the competent authority by giving complete details within 4 weeks, the same be decided within four months, thereafter, & reasoned by passing detailed, speaking/order.

7. No order as to costs.

  
Member-J

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