

OPEN COURT

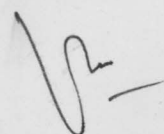
CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Dated: This the 22<sup>nd</sup> day of JANUARY 2007.

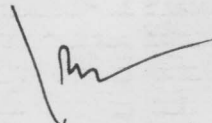
Original Application No. 1005 of 2002.

Hon'ble Justice Khem Kheran, Vice-Chairman

1. Niraj Yadav, S/o Sri Nikku Yadav, R/o Village Maupara, Post Office Kaveti, Distt: Pratapgarh.
  2. Ravi Shanker Mishra, S/o Sri Mano Dutt Mishra, R/o Village Kushil Deeh, P.O. Gotni, Distt: Pratapgarh.
  3. Makkhan Lal, S/o Sri Ram Kumar
  4. Ram Chandra, S/o Sri Ram Kumar
- Both resident of Mau Para Post Office Karati, Distt: Pratapgarh.
5. Nagendra Prasad Pandey, S/o Shri L. Prasad, R/o Vill Ram Bagh Chausa, Distt: Pratapgarh.
  6. Raakesh Kumar, S/o Sri Nanhey, R/o Maupara, Post Office Gotni, Distt: Pratapgarh.
  7. Ram Pyarey, S/o Sri Kedar, R/o Village Bulakipur, Post Office Dareti, Distt: Pratapgarh.
  8. Manjoor Ali, s/o Sri Maharram Ali, R/o 185, Faithfulganj, Kanpur.
  9. Chhedi Lal, S/o Sri Ram Swaroop, R/o Bulakipur, Post Office, Kareti, Distt: Pratapgarh.
  10. Deo Narain Yadav, S/o Sri Nanda Lal, R/o Pure Bujju Ka Purwa, P.O. Gotni, Distt: Pratapgarh.
  11. Mohammad Najish, S/o Mohammad Usaman, R/o Maupara, P.O. Gotni, Distt: Pratapgarh.
  12. Ram Naresh, S/o Sri Ram Bhajan, R/o Kushahil Bazar, P.O. Gotni, Distt: Pratapgarh.
  13. Om Prakash Gupta, S/o Sri Kalka Prasad, R/o 155, Dr. Ambedakar Nagar, Naini, Allahabad.
  14. Ajai Ahmad, S/o Shri Intijar Ahmad, R/o 384, C/6, Sultanapur Bhawa, Distt: Allahabad.



15. Jahid Hussain, S/o Amir Hussain, R/o Saiyad Sarawan, Allahabad.
16. Madan Mohan, S/o Sri Santa Lal, R/o 62/67, Harvansh Mohal, Kanpur.
17. Raja Ram, S/o Sri Moti Lal, R/o Village Maudara, Post Office Karanti, Distt: Pratapgarh.
18. Ram Sundar, S/o Sri R. Shyam, R/o Sultampur Mirya, P.O. Gotni, Distt: Pratapgarh.
19. Ram Kumar, S/o Sri Baij Nath, R/o Vill. Bulakipur, P.O. Karanati, Distt: Pratapgarh.
20. Mohammad Alim, S/o Mohd. Munir, R/o Kushahil Deeh, Gotni, Distt: Pratapgarh.
21. Ram Dularey Maura, S/o Shri Badhri Prasad, R/o Pabnah, Post Office Atarampur, Sarad, Distt: Allahabad.
22. Shiv Ram, s/o Ram Chandra, R/o Pingari, Post Office Kanawan, Distt: Pratapgarh.
23. Lal Ji Maurya, S/o Badri Prasad, R/o Pabnah, Atarampur, Distt: Allahabad.
24. Mahavir Alias Mahabali, S/o Shri Shiv Bhajan, R/o 83/3, Malik Ki Bagia, Shiv Katra Lal Banglow, Kanpur.
25. Arjun Kumar, S/o Shri Moti Lal, R/o Mohaddi Nagar, Distt: Pratapgarh.
26. Sarfaraj Ahmad, S/o Sri Intajar Ahmad, R/o 384, C/6, Sulatanpur Bhawa, Allahabad.
27. Ajij Ahmad, S/o Sri Abdul Hakim, R/o Saiyad Sarawan, Kaushambi (Allahabad).
28. Ram Sahai, S/o Sri Maha Dev, R/o Amilaha, Post Office Gotni, Distt: Pratapgarh.
29. Raj Kumar, S/o Sri Munni Lal, R/o 22-E, Loco Colony, Area Club, Kanpur Nagar.
30. Kailash Nath, S/o Slkhri S.B. Mishra, R/o Village Miria, P.O. Gotni, Distt: Pratapgarh.
31. Ram Anjor, S/o Shri Siya Ram, R/o Village Baharauli, P.O. Lal Goptal Ganj, Parewe, Distt: Pratapgarh.
32. Sartaj Ali, S/o Sri Sajjad Ali, R/o 125/3, Chandari, Distt: Kanpur.



33. Ashoka Kumar, S/o Sri Baij Nath, R/o Bula Kipur, Post Office Kareti, Distt: Pratapgarh.
34. Ram Raj, S/o Sri Bindeshwari Prasad, R/o Maudara, P.O. Kareti, Distt: Pratapgarh.
35. Shiv Slhanker Tiwari, S/o Sri A.N. Tiwari, R/o Village Itahara, P.O. Ithara, Tehsil Gyanpur, Distt: Bhadohi (Sant Ravi Das Nagar).
36. Shitla Prasad Mishra, S/o Shri R.K. Mishra, R/o Village and Post Office Leelapur Kalan, Distt: Allahabad.
37. Rijwan Ahmad, S/o Sri Ilias Ahmad, R/o Bulakpur, P.O. Kereti, Distt: Pratapgarh.
38. Rama Kant, S/o Shri B. Prasad, R/o Bulakipur, P.O. Kereti, Distt: Pratapgarh.
39. Amar Bahadur, S/o Shri R.K. Yadav, R/o 196-B/3, C/A, Naya Pura, Kareli, Distt. Allahabad.
40. Amir Uddin, S/o Moin Uddin, R/o 219, Clhak Niratul, Distt: Allahabad.

. . . . . Applicants

By Adv: Sri K.K. Mishra

#### V E R S U S

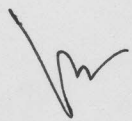
1. Union of India, through the General Manager, Northern Railway, Baroda House, NEW DELHI.
2. The Divisional Railway Manager, Northern Railway, Allahabad.
3. The Divisional, Commercial Superintendent, Northern Railway, Allahabad.

. . . . . Respondents

By Adv: Sri G.P. Agarwal

#### O R D E R

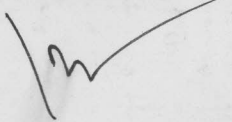
These forty applicants have filed this OA for quashing order dated 28/09/2001, by which the respondent No. 2 namely Divisional Railway Manager, Northern Railway, Allahabad, rejected their





representations for regularizing their services as Class IV employees. They say that after termination of the arrangement in between them and the society in the year 1983, the respondents started taking work from them and this way they became servant of the Railways. They and others filed one OA No. 53 of 1998, which this Tribunal decided vide order dated 31/01/2001 directing the respondents to consider their representation by passing reasoned and speaking order. The sum and substance of the present OA is that the same has not properly been done.

2. The respondents have not filed any detailed reply in this OA. Sri Mishra, learned counsel for the applicant has submitted that pursuant to the order dated 07/03/2003 and other orders passed in this OA and also pursuant to the advertisement dated 17/12/2005 issued by the respondents, the applicants have applied for being considered for appointment in Class IV. Sri Mishra says that this OA may be finally disposed of with the direction to respondent No. 2 to consider their applications filed pursuant to the advertisement dated 17/12/2005 for appointment/absorption/regularization in Class IV. Since Sri Mishra is confining his request to this, so the Tribunal is not entering into the merits. I think, the can be finally disposed of on the lines



indicated by Sri K.K. Mishra, learned counsel for the applicant.

3. The OA is finally disposed of with a direction to respondent No. 2 to consider the applications, if any, of the applicants for appointment/absorption/reengagement in Class IV filed pursuant to the advertisement dated 17/12/2005 within a period of 03 months from the date a certified copy of this order is produced before him. No order as to costs.

*[Handwritten signature]*  
22.1.07

Vice-Chairman

/pc/