

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH  
~~NEW DELHI~~

O.A. No.  
~~Fax No.~~

26

1987

DATE OF DECISION 5.4.1990

Kheemji Popat

Petitioner

Mr. J.J. Yajnik

Advocate for the Petitioner(s)

Versus

Union of India

Respondent

Mr. B.R. Kyada

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. A.V. Haridasan .. .. Judicial Member

The Hon'ble Mr. M.M. Singh .. .. Administrative Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

O.A. No. 26 of 1987

Kheemji Popat,  
Village Kankot,  
Dist. Rajkot.

.. Applicant

(Advocate-Mr. J.J. Yajnik)

Versus

1. Union of India,  
Through  
The Secretary,  
Ministry of Railways,  
Rail Bhavan,  
New Delhi.
2. General Manager,  
W.Rly., Churchgate,  
Bombay.
3. The Executive Engineer,  
Western Railway,  
Rajkot.

.. Respondents

(Advocate-Mr. B.R. Kyada)

CORAM : Hon'ble Mr. A.V. Haridasan .. Judicial Member  
Hon'ble Mr. M.M. Singh .. Administrative  
Member

O R A L - O R D E R

Date : 5.4.1990

Per : Hon'ble Mr. A.V. Haridasan .. Judicial Member

In this application filed under section 19 of the Administrative Tribunals Act, 1985, the prayer of the applicant is that the respondents Railway Administration may be directed to permit the applicant to resume his duties and to absorb him in service on regular basis after giving the petitioner seniority on the basis of his services rendered since the year 1978. The application is resisted by the respondents. In the written statement it has been contended ~~the averment~~ that the applicant is not the employee of the respondents administration ~~in absence of proper service particulars in detail.~~

But the learned counsel for the respondents fairly

29  
5

conceded that the applicant has been working as a substitute from 12.12.1978 to 11.7.1982 and 27.11.1982 to 10.7.1983 and that the respondents are prepared to permit the applicant to resume duty and to consider his case for regularisation giving credit to his length of service as aforesaid. In view of this submission by the learned counsel for the respondents at Bar, we dispose of this application with a direction to the respondents to permit the applicant to resume duties forthwith and to consider his claim for regularisation and the attendant benefit on the basis of the length of his services as admitted by the learned counsel at the Bar. However, it is made clear that the applicant will not be entitled to any back wages.

With the above direction, the application is disposed of. No order as to costs.

M. M. L.

( M M Singh )  
Administrative Member

A V Haridasan

( A V Haridasan )  
Judicial Member

\*Mogera