

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
~~NEW DELHI~~

O.A. No.
~~Ex No.~~

73

1987

DATE OF DECISION 5.4.1990

Ravindra R. Dube & Anr. Petitioner

Mr. P.H. Pathak Advocate for the Petitioner(s)

Versus

Union of India & Ors. 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. 73 of 1987

1. Ravindra R. Dube,
 2. Dhula Jiwabhai Panchal,
C/o. Jayantilal K.
A.C.P.P. Hapa
Dist. Jamnagar
- .. Applicants

Versus

1. Union of India,
Through
Divisional Railway Manager,
Rajkot Division,
Kothi Compound,
Rajkot.
 2. Station Superintendent,
Railway Station,
Hapa-360 101.
- .. Respondents

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

ORAL - ORDER

Date : 5.4.1990

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

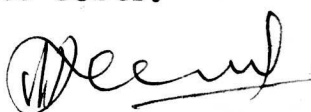
Heard Mr. P.H. Pathak and Mr. B.R. Kyada, learned counsel on either side. The grievance of the applicant No. 1 and 2 is that though the first applicant has been working as Substitute Pointsman from the year 1973 and the second applicant has been working since 1974 and though the first applicant was screened in the year 1976, in regularising their services, the Railway Authorities have not considered their services till the year 1979 with ^{the result} ~~a~~ reason that they have ^{been} empanelled below the persons who had lesser length of services than the applicants. Since their representations did ^{bear fruit} not ~~reply~~, the applicant filed this application pray for a direction to the respondents to regularise the

31
7

applicants in service with effect from the date on which any persons junior to them have been regularised in service. The respondents have resisted the application on the ground that the applicants have been given ^{placement} placing in the panel in accordance with the available service record.

2. When the matter came up for hearing, learned counsel for the applicants submitted that the applicants would be able to convince the authorities that their services commenced on a date ^{prior to} in the year 1979 and if the Railway Authorities consider this aspect, it will be possible for the department to grant relief to them. Learned counsel for the respondents agreed that the Railway Authorities have no objection in considering the representation and to assign the due placement to the applicants if they are satisfied about the bonafide ^{of the} claim. In the ^{conspicuous} ~~conspicuous~~ of the facts and circumstances, we dispose of this application with a direction to the applicants 1 and 2 to make a representation each detailing all their grievances and giving ^{producing} ~~and produce~~ evidences in support thereof within a month from the date of communication of this order to the first respondent and with a direction to the first respondent to dispose of this representation in accordance with law within a period of two months from the date of receipt of such representation. In case the applicants feel aggrieved by the outcome of the representation, they will be at liberty to move the appropriate forum for ^{proper} ~~the~~ relief. There is no order as to costs.

H H Singh
(M M Singh)
Administrative Member


(A V Haridasan)
Judicial Member