

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

NO  
Absorption

U

O.A. No. 204 OF 1990  
TAXNOX

DATE OF DECISION 7.1.1993

Bharat Singh & Ors. Petitioners

Mr. K.K. Shah, Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondents

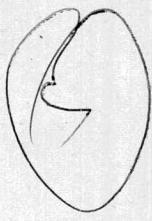
Mr. N.S. Shevde, Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N.V. Krishnan, Vice Chairman.

The Hon'ble Mr. R.C. Bhatt, Judicial 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?



1. Bharat Mansingh
2. Poonaya Moti
3. Doulat Laxman
4. Baba Bhudar
5. Bhaiji Mansingh
6. Mathur Mana
7. Kaloo Fatha
8. Parthi Natha
9. Gala Natha
10. Sripal R
11. Amarat Lavaji
12. Kalapnath Durga
13. Jawanji Khodaji
14. Rai Singh Viha
15. Kanti Kara
16. Ramaji Punjaji
17. Ishwar Udesingh
18. Raji Soma
19. Kanti Mangal
20. Chatur Bhailal
21. Mathur Navla
22. Doongar Singh Roopsingh
23. Dham Lingam Kuppan
- 24.
25. Mahendra Singh Chandi Singh
26. Moti Naval Singh
27. Duriya Swami S
28. Shamlal Budhai
29. Sriram Ramgarib
30. Dudhsingh Lakhusingh
31. Jagdish Ravji
32. Rameshwar Alakaji
33. Badarji Sanaji
34. Hira Ghema
35. Ranjan Dhana
36. Sursingh Dharu
37. Laxman Shakra
38. Mahesh Rajveer
39. Chutaji
40. Ramsingh Soma
41. Ramraj Magroo
42. Baby Dhula
43. Bachhu S
44. Kalwa Sona
45. Lalit Prasad G
46. Rajendra Pichhan
47. Gambhirji Talaji
48. Ayaswami Ramaswamy
49. Palani Muthu K
50. Thandapani Swamynathan
51. Jawan Singh G
52. Pratapji Bapuji
53. Kanaiyalal Pannanalal

All are working as Temporary status  
Khalasis Gangman in Sabarmati  
Workshop, Western Railway,  
Sabarmati, Ahmedabad.

.... Applicants.

(Advocate: Mr. K.K. Shah)

Versus.



1. The Union of India, notice to be served through  
The General Manager,  
Western Railway,  
Churchgate, Bombay.

2. Divisional Railway Manager (E)  
Divisional Office,  
Western Railway,  
Pratapnagar, Baroda.

3. Chief Works Manager,  
Engineering Workshop,  
Western Railway,  
Sabarmati, Ahmedabad.

.... Respondents.

(Advocate: Mr. N.S. Shevde)

6

ORAL ORDER

O.A. No. 204 OF 1990

Date: 7.1.1993.

Per: Hon'ble Mr. N.V. Krishnan, Vice Chairman.

Heard Mr. K.K. Shah for the applicant and  
Mr. N.S. Shevde for the respondents.

2. This application has come up for admission.

3. The applicants, 53 in number, submit that they are working with the 3rd respondent as Khalasis, having temporary status. The question now is about their regularisation. The grievance of the applicants is that, instead of considering the applicants for regularisation, the respondents are considering other Gangman for regularisation.

4. They, therefore, pray that the respondents should be directed to regularise them by screening them for the Class IV post of Khalasi in the Workshop.

5. The learned counsel for the respondents has taken the plea that only those persons who have 8th standard pass, and above educational qualification can be appointed on a regular basis as khalasi and

therefore, unless the applicants satisfy this eligibility condition they can not be considered for regularisation.

6. Today, when the matter came up for admission the learned counsel for the applicant submitted that, in view of this submission of the respondents, it would be proper to dispose of this case by giving a direction to the applicants to furnish the particulars of their educational qualification to the 3rd respondent, the 3rd respondent should consider the claims of those who have this qualification for screening for the post of khalasi.

7. The learned counsel for the respondents did not raise any serious objection to this suggestion.

8. In the circumstances, we dispose of this application with the following directions:

(i) The applicants are directed to file, within two weeks from the date of receipt of this order, particulars of their educational qualifications to the 3rd respondent.

(ii) If such particulars are received, the 3rd respondent is directed to consider the claims of the persons who have the necessary qualification for screening for the post of <sup>2</sup> khalasi in the workshop.

(A)

(iii) It is open to persons who do not have the minimum qualification, to file representation for regularisation in the appropriate category, in accordance with law.

9. With these directions, this application is disposed of at the admission stage.

*R.C.Bhatt*

(R.C.Bhatt)  
Member (J)

*N.V.Krishnan*  
7.1.93

(N.V.Krishnan)  
Vice Chairman

vtc.

Order No. 117/93.

D.A. 12/4/93

DATE	OFFICE REPORT	ORDERS
12/4/93		<p>By Consent the matter is adjourned to 13-4-93.</p> <p>16 Mr. B. Patel Chairman</p> <p>7 B. Patel Chairman</p> <p>(9)</p>

DATE	OFFICE REPORT	ORDERS.
3.4.93		<p>Mr.K.K'Shah for the applicant and Mr.N.S. Shevde for the respondents.</p> <p>2. This matter is transferred to us today from the 1st Court. M.A. 117/93 is filed by the applicant in O.A. 204/90 praying for extension of time upto 30th April, 1993 to carry out the direction as per order dated 7th January, 1993 in para 8(i) in the O.A. 204/90 decided on 7th January 1993. Mr. Shevde does not resist this application for extension of time. Hence M.A. is allowed and the time is extended upto 30th April, 1993 as prayed. M.A. is disposed of.</p> <p><i>M.R.Kolhatkar</i></p> <p>(M.R. Kolhatkar) Member (A)</p> <p><i>R.C.Bhatt</i></p> <p>(R.C.Bhatt) Member (J)</p> <p>vtc.</p>

DATE	OFFICE REPORT	ORDERS
13.4.93		<p>Mr.K.K'Shah for the applicant and Mr.N.S. Shevde for the respondents.</p> <p>2. This matter is transferred to us today from the 1st Court. M.A. 117/93 is filed by the applicant in O.A. 204/90 praying for extension of time upto 30th April, 1993 to carry out the direction as per order dated 7th January, 1993 in para 8(i) in the O.A. 204/90 decided on 7th January 1993. Mr. Shevde does not resist this application for extension of time. Hence M.A. is allowed and the time is extended upto 30th April, 1993 as prayed. M.A. is disposed of.</p> <p style="text-align: center;">(M.R. Kolhatkar) Member (A)</p> <p style="text-align: right;">(R.C.Bhatt) Member (J)</p> <p style="text-align: center;">vtc.</p>