

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No/307/90
T.A. No.

DATE OF DECISION 28/09/1993

Yogendrabhai Chamanlal Bhaglani Petitioner

Mr.B.B.Gogia Advocate for the Petitioner(s)

Versus

Union of India & others Respondent

Mr.B.R.Kyada Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R.C.Bhatt : Judicial Member

The Hon'ble Mr. M.R.Kolhatkar : 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 ?

Shri Yogendrabhai Chamanlal Bhaglani,
Hindu, Adult, Aged about 26 yrs,
Occupation: Unemployed,
"Momaikrupa",
Near Itta Batta,
Bajrangwadi,
RAJKOT

: APPLICANT

Advocate : Mr.B.B.Gogia

VERSUS

1. Union of India,
owning & representing,
Western Railway,
through :
General Manager,
Western Railway,
Churchgate,
BOMBAY-400 020

2. Divisional Railway Manager,
Western Railway,
Rajkot Division,
Kothi Compound,
RAJKOT.

: RESPONDENTS

Advocate : Mr.B.R.Kyada

ORAL JUDGEMENT

07A7/307/90

Date: 28/09/1993

Per : Hon'ble Shri R.C.Bhatt,
Judicial Member.

Mr.B.B.Gogia, learned advocate
for the applicant. Mr.B.R.Kyada, learned advocate for
the respondents.

2. This application under section 19
of the Administrative Tribunals Act, is filed by the
applicant, against railways for seeking the following
reliefs.

(A) The respondents may please be directed to re-engage the applicant and place his name on the live register of Substitutes for the engagement as Substitutes in Traffic Department of Rajkot Division and offer him such appointment in accordance with the same and grant him all the consequential benefits from the date he is/was due for the same in accordance with his position in the said regieter.

3. It is the case of the applicant that he was engaged as a Substitute Gateman on 22/6/1983 at Lakhabaval Station under T I, Western Railway, Jamnagar. He has produced at Annexure A-1, the letter in which his name is recommended for granting the temporary status. According to him, he was terminated on 04/11/1984. Learned advocate for the applicant does not challenge this termination but he submits that the applicant confines his case only for inclusion of his name on the live register and the respondents may give him work in future when the vacancy arises, looking to the numbers of days of work which he had put in past and according to his turn.

4. In view of the above submission, it is not necessary to discuss the detailed reply of the respondents.

5. As this applicant has worked in past from 22/06/1983 to 04/11/1984, as a Substitute Gateman, the respondents should include his name in live register. Hence, we pass the following order.

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6.

ORDER

The respondents to include the name of the applicant on the live register of substitutes for the engagement as substitute in Traffic Department of Rajkot Division. The respondents may give work to this applicant as and when the vacancy occurs in future having regard to the number of days for which he has put work in past and when his turn comes accordingly. Application is disposed of as above. No order as to costs.

MR Kolhatkar

(M.R.KOLHATKAR)
Administrative Member
Date: 28/09/1993

R.C.Bhatt

(R.C.BHATT)
Judicial Member
Date: 28/09/1993

SSH