

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A.NO. /19/92
T.A.NO.

DATE OF DECISION 07.09.99

Muniamma Thirusang & 21 Ors. Petitioner

Mr. Y.V. Shah Advocate for the Petitioner [s]

Versus

Union of India & Ors. Respondent

Mr. R.M. Vin Advocate for the Respondent [s]

CORAM

The Hon'ble Mr. V. Ramakrishnan : Vice Chairman

The Hon'ble Mr. P.C. Kennan : Member (J)

JUDGMENT

- 1, Whether Reporters of Local papers may be allowed to see the Judgment ? *m*
- 2, To be referred to the Reporter or not ? *m*
- 3, Whether their Lordships wish to see the fair copy of the Judgment ?
- 4, Whether it needs to be circulated to other Benches of the Tribunal ? *m*

1. Muniamma Thirusang
2. Papa Kasi
3. Kallamal Singamuthu
4. Anjalai Kannaperan
5. Thivani G.
6. Arjunan Murugan
7. Rajamanikam Murugan
8. Logampal Ayakanna
9. Kanti Rajamanikam
10. Kamalam Mandhramurthi
11. Sangamuthu Muthukannu
12. G. Valaytham
13. Ayaswami Nallasai
14. Kulanji Manjamuthu
15. Eruchammal Ayyadurai
16. Thangvel Palamuthu
17. Kasi Nallan
18. Thjirusang Chinavan
19. Ammasi Pampan
20. Anjamma Thangvel
21. Natesan V.
22. Anjamma Thangvel

C/o. C. Permanent Way Inspector,
W.Rly., Pardi.

= Applicant =

(Advocate : Mr. Y.V. Shah)

Versus

1. Union of India,
Though the General Manager,
W.Rly., Churchgate,
Mumbai : 20.
2. Chief Permanent Way Inspector,
P.Q.R.S., W.Rly.,
Pardi.
3. Divisional Railway Manager (E),
W.Rly., Bombay Central.

= Respondents =

(Advocate : Mr.R.M. Vin)

ORAL ORDER

O.A 19 OF 1992

Date : 07.09.99

Per Hon'ble Shri. V. Ramakrishnan : Vice Chairman.

We have heard Mr. Y.V. Shah for the applicant and Mr. Vin for the respondents.

2. The applicants are casual labours recruited between 07.08.78 to 28.01.81 and have sought for a direction that they should be regularised and absorbed in Railway service.

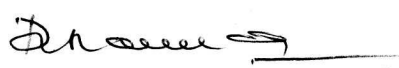
Mr. Y.V. Shah says that all the applicants were recruited as project casual labours and they are continued all along.

He further says that in terms of the scheme prepared by the Railway Administration in pursuance to the direction of the Hon'ble Supreme Court in Indra Pal Yadav's case, they have a right for regularisation. He draws attention to para 6.D of the reply statement of the respondents dated 23.07.1992 which says that the applicants have been screened for regular absorption against vacancies accruing in open line units to the extent of 30 % as decided by the Railway Administration in consultation with the recognised Unions and if they are found suitable they will be regularised as per their turn which may come within one year subject to availability of vacancies. This statement is filed as early as 02.07.92. Neither Mr. Vin, nor Mr. Y.V. Shah throws light to the actual position at present as they ^{officers} have been shifted from one unit to another. Mr. Vin for the respondents submits that they should have been regularised as

per their turn and if any junior is regularised, they also would have been regularised.

3. In the facts and circumstances of the case and in view of the statement of the Railway Administration and in the light of the present submissions of Mr. Vin, we direct that in case the applicants have been found fit as per the screening, as they have already been screened, they should be regularised as per their turn and in case any junior to them in the relevant approved seniority list has been regularised, they also should be regularised not later than the date on which the junior has been regularised in accordance with the relevant scheme, rules and instructions.

4. With the above directions the O.A is finally disposed of. No costs.



(P.C. Kannan)
Member (J)



(V. Ramakrishnan)
Vice Chairman

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