

(11)

CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO, 411 of 1992.

Date of decision : March, 22, 1991.

Bhikari Behera and others : Applicants

Versus

Union of India and others : Respondents.

For the applicant : Mr. Ganeswar Rath, Advocate.

For the Respondents : Mr. B. Pal the Senior Standing  
Counsel (Railway Admn.)

C O R A M:

THE HONOURABLE MR. B.R. PATEL, VICE CHAIRMAN

AND

THE HONOURABLE MR. N. SENGUPTA, MEMBER (JUDICIAL)

1. Whether reporters of local papers may be permitted to see the judgment? Yes.
2. To be referred to the reporters or not? No
3. Whether Their Lordships wish to see the fair copy of the judgment? Yes.

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JUDGMENT

N. SENGUPTA, MEMBER (JUDICIAL) : In this application 13 persons who admittedly worked either as seasonal or Casual Workers have asked for a direction to the Respondents to regularise their services and not to terminate their employment.

2. It is unnecessary to state in detail all the facts pleaded, it would be sufficient to indicate that the present applicants and some others had filed Original Application previously against earlier orders limiting their period of employment and those applications were disposed of with a direction to the Respondents to prepare a list of such Casual Workers in order of seniority and to absorb them according to the availability of posts.

3. The Railway Administration in their counter affidavit have averred that a list has already been prepared and persons who were seniors to the present applicants have already been given regular appointments on vacancies occurring and that they should wait for their turn to come.

*Mem Sub  
13/1/91*

(13)

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There is no affidavit filed by the applicants denying the averments of the Respondents in their reply affidavit.

6. We have heard Mr. Ganeswar Rath the learned Counsel for the applicants and Mr. B. Pal the learned Senior Standing Counsel (Railway Administration) for the Respondents. Mr. Pal has urged that the present application is misconceived as the relief that the applicants have asked for is ~~for~~ a direction to the respondents to absorb them in order of their seniority and there has already been a direction in that regard and the respondents have already begun to implement the said direction. We agree with this contention of Mr. Pal and we do not find any necessity for a fresh direction in view of the stand taken by the respondents.

7. The case is accordingly disposed of. No costs.

Rath 22.3.91  
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VICE CHAIRMAN

.....  
S. Mohanty 22/3/91  
.....  
MEMBER (JUDICIAL)

Central Administrative Tribunal,  
Cuttack Bench, Cuttack SK Mohanty.