

(131)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

Original Application No. 446 of 1990

Date of decision: 11. 2. 1994

K.Chandran and others	...	Applicants
	Vs.	
Union of India & Others	...	Respondents

(FOR INSTRUCTIONS)

1. Whether it be referred to the reporters or not?
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not?

15/2/94
(H.RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)
11 FEB 94

11-2-94
(K.P. ACHARYA)
VICE - CHAIRMAN

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO: 446 OF 1990

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K.Chandran and others	Applicants
Versus		
Union of India & others	Respondents
For the Applicants	... M/s.P.Palit, B.Mohanty, A.Kanungo, N.Patra, Advocates.	
For the Respondents	... Mr.B.Pal, Senior Standing Counsel (Railways).	
.....		

CORAM:

THE HONOURABLE MR.K. P. ACHARYA, VICE-CHAIRMAN
AND
THE HONOURABLE MR.H.RAJENDRA PRASAD, MEMBER (ADMN.)

JUDGMENT

K.P.ACHARYA, V.C. In this application U/s 19 of the Administrative Tribunals Act, 1985, there are fifty six petitioners who were working under the Bridge Inspector (Regirdering) Birupa South Eastern Railway, Cuttack as casual employees. According to the Petitioners, they have served under the Railways as such in different capacities from 14.2.1980 to 24.7.1987. They claimed regularisation.

2. Instead of mentioning the stand taken by the Railway Administration, in their counter filed on 20th December, 1991, it would suffice to say that the Opposite Parties had filed a supplementary counter on 21st September, 1993 in which it is stated as follows:

"That during course of hearing, instructions having been sought for about further development as per application of Establishment Serial No.187/86 and absorption of the applicants in regular cadre of the railways, instructions were given, the substance of which was that all the applicants have since been absorbed in the regular cadre of the railway under two Memos dated 16.7.1992 and 30.12.1992 **except** the applicants in Sl. Nos. 45 and 56 who have retired on 28.2.1991 and 31.3.1991 respectively."

3. This supplementary counter is accompanied by an affidavit sworn by Shri T. George who is at present working as DEN(C), Headquarters/Regirdering Unit Project Manager (Regirdering) S.E. Railway, Cuttack. In view of the averments quoted above, finding place in the Affidavit, there is absolutely no escape from the conclusion that the petitioners except those mentioned against Sl. Nos. 45 and 56 have been absorbed in the regular cadre and therefore, no further directions are necessary to be passed by this Bench.

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4. Thus, the application is accordingly disposed of. There would be no order as to costs.

1.5. Mohanty
MEMBER (ADMINISTRATIVE)
11 FEB 94

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11-2-94
VICE-CHAIRMAN

Central Administrative Tribunal,
Cuttack Bench, Cuttack/K. Mohanty/