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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO: 254 OF 1993

Date of decision: November 17, 1993

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|-------------------------|-----|---|-------------|
| S. Ramulu | ... | ... | Applicant |
| -versus- | | | |
| Union of India & Others | ... | ... | Respondents |
| For the Applicant | ... | M/s. G.A.R. Dora, V. Narsingh, Advocates. | |
| For the Respondents | ... | M/s. B. Pal & O.N. Ghosh, Senior Standing Counsel (Railways). | |

C O R A M:-

THE HONOURABLE MR. K.P. ACHARYA, VICE-CHAIRMAN

&

THE HONOURABLE MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)

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J U D G M E N T

K.P. ACHARYA, V.C.

In this application under section 19 of the Administrative Tribunals Act, 1985, the petitioner prays for a direction to the Opp. Parties to call the petitioner to the screening test and direct his re-engagement.

2. Shortly stated the case of the petitioner is that he has been working as a Casual labourer under the Railway Administration namely Divisional Personnel Officer, S.E. Railway, Khurda Road and D.S.E.T. (Development), S.E. Railway, Khurda Road, Opposite Party No. 3 for a very long time.

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The Petitioner's services not having been regularised, he has come up with this application with the aforesaid prayer.

3. In their counter, the Opposite Parties maintain that the case being devoid of merit is liable to be dismissed.

4. We have heard Mr. Narasingh learned counsel appearing for the petitioner and Mr. B. Pal learned Senior Standing Counsel appearing for the Railway Administration.

5. Mr. Narasingh learned counsel appearing for the petitioner invited our attention to a judgment passed by this Bench in a similar matter forming subject matter of O.A. No. 235 of 1993 disposed of on November 12, 1993. Following the interim order passed in the Original Application No. 235 of 1993, vide order dated 17.5.1993, passed in the present case namely Original Application No. 254 of 1993, this Bench had directed to permit the petitioner Shri S. Ramulu to appear in the Screening Test scheduled to be held on any dates subsequently to 17.5.1993 and the result of the screening test in respect of the petitioner Shri S. Ramulu should not be published until further orders. The admitted position before us is that in compliance with the orders passed on 17th May, 1993, the petitioner Shri Ramulu has taken the

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screening test and the result has not been published. In the case of Original Application No. 235 of 1993 we have passed an order directing the Opposite Parties to publish the result. Accordingly we would direct that in this case result of Shri S. Ramulu be published and in case he has turned out successful, he should be kept in the list for re-engagement as a casual labourer and as directed earlier, a seniority list should be prepared and according to the seniority, the incumbent should be given regular appointment as and when vacancy arises, in future. The seniority list should be prepared within sixty days from the date of receipt of a copy of the judgment.

6. Thus, the application is accordingly disposed of leaving the parties to bear their own costs.

MEMBER (ADMINISTRATIVE)
17 NOV 93

Central Admn. Tribunal
Cuttack Bench/K. Mohanty
17th November, 1993.



L. S. *[Signature]* 17-XI-93
VICE-CHAIRMAN