

2

OA 633/03

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

On 24.8.03

Notice/Copies of
order issued to all
respds. and copies of
said order prepared
for counsels for
both sides

ADs. not back.
App. Memo/countr
not filed.

Dt. 24.11.03

The learned counsel
for the applicant is present.
A.D.'s not returned from
any respondents.

Await return of ADs
till 15.12.03.

REGISTRAR

Except 2-5 & 7, ADs.
back for all respds.
App. Memo/countr
not filed.

notices and free copies of this order be
given to learned counsel for the Applicant
and Mr. R. C. Rath, learned Standing Counsel
for the Railways; on whom a copy of this
O.A. has been served.

Member (Judicial)

Order dated 29.6.2004

Heard Shri N.R. Routray, learned counsel
for the applicant and Shri O.N. Ghosh, learned
Addl. Standing Counsel appearing on behalf of
the Respondents.

Applicant claims to be the casual
Khalasi under the Railways since 1966 and
reengaged in 1975 by placing his name in the
live casual register. He has claimed that he
has been given temporary status w.e.f. 1.1.1981
and taken to regular establishment of the
Railways with effect from 25.9.1987 and,
ultimately, faced retirement from service w.e.f.
31.12.1996. It is the case of the applicant
that whereas other casual Khalasies engaged
with him (who were also conferred with temporary
status w.e.f. 1.1.1981) got the benefit of
ante-dated regularisation w.e.f. 1.4.1973,
this he has been deprived of the said benefit
and thereby he has been discriminated. ~~and~~
In this regard, the applicant has arraigned
Res. Nos. 7 and 8 (viz. S/Shr H.H. Mohapatra
and A. Sarangi, respectively) in the present
O.A. as an instance.

It is the admitted position that
the grievances of the kind as raised by the

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Dt. 5/12/03

Ld. Counsel for the applicant is present. None has appeared on behalf of the Respondents. Time is granted till 16/01/04 for filing the Appearance Memo and Counter Reply.

17/12/03
Registrar

App Memo/counter
not filed

14/11/04

Regd

Order dt. 16.1.04

Ld. Counsel for the applicant is present. Mr. O.N. Ghosh, Ld. ASC by entering appearance for R-1 and R-3 prays for 04 weeks time to file counter. Heard. R-2, R-4, R-6 and R-8 continue to remain absent and no steps taken by them to file any counter. A.Ds not yet returned from R-5 and R-7 although notices by Regd. Post sent to them on 14.10.03. Hence, services are treated sufficient on them.

Call on 23.2.2004 for filing of counter.

16.1.04
REGISTRAR

applicant in this O.A. are being examined by the Railways by setting up a committee (Para-6 of the counter). In the aptness of things, it would be prudent if the grievances, as raised by the applicant in this O.A., are remitted to Respondents-Department to be placed before the appropriate Committee for being examined and I am sure that the said Committee will also look into the allegation of the applicant with regard to discriminatory treatment meted out to him by the Respondents. Ordered accordingly.

While issuing the above direction, liberty is hereby given to the applicant to put up a consolidated representation before the Respondents within 15 days hence and, in the circumstances, the Respondents will be well advised to put up the matter before the Committee constituted for the purpose and take a final view over the matter under intimation to the applicant.

With the above observation and direction, this O.A. is disposed of. No costs.

MEMBER (JUDICIAL)

29/06/04