

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH

ORDER SHEET

Original Application No. 153 of 2002

Applicant (s) ... Baniyanti Pathan Respondent (s) ... Lalwanji JadhavAdvocate for Applicant (s) ... M. S. C. Samantray Advocate for Respondent (s) ...

P. K. Patnaik
R. K. Biswal
B. Basu

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

~~I.P.O/B.D. for Rs.50/- filed
For Registration please.~~

Pray
A.O.
8/1/02

REGISTER

Registrar

Or. No. 1 dated 28.3.2002

Heard Shri S.C.Samantray, the learned counsel for the Applicants. Misc. Application seeking joint permission to prosecute this O.A. is allowed, and disposed of accordingly.

Defect pointed out by the Registry is ignored for the time being. Let the O.A. and the M.A. be registered and given Sl. Nos.

Heard Shri S.C.Samantray, the learned counsel for the applicants and Shri D.N.Mishra, the learned Standing Counsel, on whom a copy of O.A. has been served.

Applicants, 13 in number, are presently working as Female Multipurpose Khalasis under the

Defect no. 3 removed.

Other defects are:-

- (1) No impugned order.
- (2) The application is barred by time.

Bench

27/3/02

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

2
Postal regulations b/f
n 10/4/02.

The copy of order
of 28/3/02 and O.A.
issued to all the
experts by Regd. a/c/
D. Post.

The same copy of
order issued to the
m/sel by both
sides.

Pass
S.D. 11/4

My
11/4/02

Respondents and they have been taken to regular Establishment/P.C.R. of the Railways with effect from 31st May, 1994, vide Annexure-1 dated 17.10.1994. In the present Original Application they have raised a point that their regularisation should have been ante dated to 1974/1981.

From the pleadings it appears that the Applicants have not raised their grievances before their authorities/Respondents to consider their cases for ante-dating their regularisation. It is the case of the learned counsel that all the 13 Applicants are Members of SC/ST community and therefore, their grievances should receive due consideration and their legitimate claims, if any, should not be throatled on the mere technical ground of non-submission of representations or limitations.

Having heard the learned counsel on either sides, this Original Application is disposed of with a direction to Respondents that they should treat the present Original Application to be a joint representation by all the 13 Applicants and examine the case closely with a view to ante-dating the regularisation of the Applicants w.e.f. 1974/1981.

This exercise ^{should} ~~shall~~ be completed within a period of three months hence.

Send copies of this order, along with copies of O.A. to the Respondents by Speed/Regd. Post with A.D. at the cost of the Applicants.

Shri Samantray, as undertaken by him, shall deposit ^{required} the ~~cost of~~ postages by 2.4.2002.

Copies of the order be also handed over to both sides.

28/03/2002
MEMBER (JUDICIAL)