

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. 955 of 1996

Date of Order: 08.12.97.

Present: Hon'ble Dr. B.C. Sarma, Administrative Member.

Hon'ble Mr. D. Purakayastha, Judicial Member.

1. KIRTAN MAHATO, Son of Lahabat Mahato,  
Vill. & P.O. JINDARU, Dist: Purulia.
2. Kirti Kumar, Son of Gandao, Vill. & PO: KOCHAN TU,  
P.S. Jhalda, Dist. Purulia.

...Applicants.

-Versus-

1. Union of India-through the Secretary, Ministry  
of Railway, Railway Bhavan, New Delhi-110001.
2. The Divisional Railway Manager, Adra Division,  
S.E. Railway, Dist. Purulia.
4. The Permanent Way Inspector, Kotshila, Dist: Purulia.

...Respondents.

Heard on: 08.12.97.

For the petitioners: Mrs. Baisali Ghosal, counsel.

For the respondents: Mr. S. Choudhury, counsel.

O R D E R

B.C. Sarma, A.M.

Two applicants have jointly filed this application alleging that they have not yet been absorbed on permanent basis inspite of discharging their duties under the respondents for the last 21/22 years as a temporary basis and they have also prayed for the same in the said petition.

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When the case of a petitioner is taken up,

When the admission hearing of the case was taken up to-day, Mrs. Ghosal, ld. counsel for the applicants submitted that after the application was filed, the authorities have since regularised their services but order of regularisation does not take into account the appropriate date from which the applicants have been regularised. In other words, Mrs. Ghosal is now praying for ante-dating the order with effect from which it will take effect regarding their regularisation.

We have been told by the ld. counsel for the respondents that he has no instructions in the matter of regularisation.

We have considered the the submissions made by the ld. counsel for both the parties and perused records. We find that a simple prayer is made by the applicants in this case. <sup>Only</sup> ~~All~~ the reliefs prayed for in the application is that they should be given enhanced seniority on the basis of the order of regularisation. In view of this present position, we are of the view that this application should not <sup>be</sup> fail and it can be disposed of at the stage of admission hearing.

In view of the above, we dispose of this application at the stage of admission with a direction that the respondent no. 3, The Divisional Railway Manager, Adra Division, South Eastern Railway, District: Purulia, shall treat the entire application as a representation ~~by~~ filed by the applicants and shall dispose it <sup>keeping</sup> in view the reliefs prayed in this case, within a period of 3 months from the date of communication of this Order. The decision so taken by the aforesaid Railway Respondent shall also be communicated ~~to~~ individually to the applicants within one month thereafter. We also give liberty to the to the applicants to approach before this Tribunal, if they

