

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

123
#114

ORDER SHEET

APPLICATION NO _____ OF _____

Applicant (s)

Respondent (s)

Advocate for
Applicant (s)

Advocate for
Respondents (s)

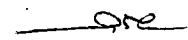
Notes Of the Registry

Orders Of The Tribunal

O.A. No. 325/1996 with M.A. No. 169/1998
Date of Order; 12.04.2005

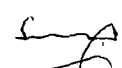
Mr. B. Khan: Counsel for the applicants.
Mr. Salil Trivedi: counsel for respondents.

Both the learned counsel agree that the controversy which has been raised in this case has been settled by the Hon'ble Supreme Court in case of **All India Railway Parcel & Goods Porters's Union vs. Union of India & Ors.** reported in (2003) 11 SC Cases 590 wherein the matter has been directed to be referred to the Labour Commissioner to decide about the nature of contract of employment of the applicants through Contractor. Labour Commissioner directed to file a fresh report with an opportunity to the respondents to scrutinise the claims and cross-examine the petitioners - directions passed to implement the Labour Commissioner's fresh report. Hence, this O.A. being not maintainable before this Court. The applicants are directed to approach the Labour Commissioner's office as per the directions of the Hon'ble Supreme Court.


(G R Patwardhan)
Administrative Member


(Kuldip Singh)
Vice Chairman

R/COR
m/10/14
As.


22/4

11/18 24

Mr. Salil Trivedi, counsel for the respondents has submitted an application on 6.12.2004 and requested that this OA 325/96 Sultan Ali & Ors. Vs. UOI & Ors. may please be before the Hon'ble Court. Application may pl. be perused at 7/12/04

The aforesaid O.A. was posted in due course by this Hon'ble Court's Order dtd. 11.7.2001 in view of the Hon'ble Supreme Court of India in writ petition No. 433/98 All India Rly. Parcel & Goods Porters Union Vs. UOI & Ors. dt. 11.7.2001.

The counsel for respondents has informed by this application that the above writ petition No. 433/98 has been decided on 22-8-2003 by the Hon'ble Supreme Court of India.

He has further submitted that a Similar/Identical OA No. 201/02, Magna Ram Vs. UOI & Ors. is listed on 7.12.04 for admission hence this OA 325/96 may pl. be listed along with that OA.

The OA No. 201/02 is listed before the Court (D.B. not formed) on 07.12.04 and the same has been adjourned to 03.01.05 as Division Bench sitting is not available.

May it be approved, this OA 325/96 Sultan Ali Vs. UOI & Ors. be listed along with OA 201/02 before the Hon'ble Court on 03.01.2005.

Submitted for kind perusal and n/orders.

07-12-04
SECTION OFFICER (J)

Registrar:

Proposed at 'A' above approved.

7/12/04

S.O (J) Digitd may pl. listed this OA before Hon'ble Court on 03-01-05, as approved.

7/12/04

D.O.

44-Noted
on 8/12/04

7/14/04