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CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH,

J O D H P U R

Date of order : 18.4.96

O.A. No. 43/96

BALA RAM : ... Applicant  
Vs.

UNION OF INDIA AND OTHERS : ... Respondents

Present

Mr. J. K. Kaushik, counsel for the applicant.

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COURT

THE HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

THE HON'BLE MR. S. P. BISWAS, ADMINISTRATIVE MEMBER

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MR. GOPAL KRISHNA :

Applicant Bala Ram in this application under section 19 of the Administrative Tribunals Act, 1985, has sought a direction to the respondents for his absorption / regularisation in the post of Wireman scale Rs. 260-400-950-1500 in terms of circulars issued by the Railway Board from time to time with all consequential benefits.

2. We have heard the learned counsel for the applicant.

3. Applicant was initially appointed as Khalasi in the Northern Railway in Extra Divisional office of SSE (C), on 21.7.1977. However, the work of Wireman scale Rs. 260-400 in Group C was taken from him and actual payment in

1/8 (Q)

the scale Rs.260-400 in Group 'C' was made to him w.e.f. 15.8.78. He was granted temporary status w.e.f. 1.1.1984 vide an order ~~on~~ at Annex.A-1 dated 25.7.86. It is alleged that he was subjected to the trade test and after clearing the trade test, he under went the requisite training for the post of Electrical Wireman. The main contention of the applicant is that he is entitled to absorption in the ~~xxxx~~ skilled category in terms of Para 2007 of the Indian Railway Establishment Manual, Vol. II and, therefore, he declined to accept the offer of regularisation in the post of Khalasi in the scale Rs. 750-940 in Group 'D'.

4. The learned counsel for the applicant has drawn our attention to the applicant's representation at Annex.A-5 dated 11.12.1994 and he intends that the same be decided in terms of the provisions contained in Para 2007 of the Indian Railway Establishment Manual, Vol.II.

5. We, therefore, dispose of ~~this~~ this O.A. at the stage of admission with a direction to the respondent No.2 to examine and take a decision on the applicant's representation at Annex.A-5 dated 11.12.1994 keeping ~~in~~ view the provisions contained in Para 2007 of the Indian Railway Establishment Manual, Vol.II, through a detailed order within a period of three months from the date of receipt of a copy of this order. Let a copy of the OA and the Annexures thereto, be sent to respondent No. 2 alongwith a copy of this order.

*S. P. BISWAS*  
( S.P.BISWAS )  
MEMBER (A)

*C. K. Mehta*  
( GOPAL KRISHNA )  
VICE CHAIRMAN

....

mehta

Copy of order dated 18-4-96 with  
O.A. Sent to R-1 to P-3 by  
Reps. PWB vide no 164000  
Date 21/5/96

copy  
26.4.96

Part II and III destroyed  
in my presence on 5/6/96  
under the supervision of  
section officer ( ) as per  
order dated 14/3/96

R. J. Copy  
m 20/4  
S. J. Officer

Section officer (Record)