

296

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JODHPUR BENCH, JODHPUR

O.A. No. 177/2002

Date of Decision: 25.07.2002

Hardwari Lal s/o Shri Dawarika Parshad by caste Yadav aged about 44 years, resident of House No. 238-B Railway Colony, Northern Railway, Lal Garh, Bikaner.

The applicant is presently working on the post of Clerk in Northern Railway, Bikaner Division.

...APPLICANT.

v e r s u s

1. The Union of India, through the General Manager Northern Railway, Baroda House, New Delhi.
2. The Divisional Rail Manager, Northern Railway, Bikaner.
3. The Divisional Personnel Officer, Northern Railway, Bikaner.

...RESPONDENTS.

Mr. Kuldeep Mathur, counsel for the applicant.

CORAM:

HON'BLE MR. GOPAL SINGH, ADMINISTRATIVE MEMBER.

HON'BLE MR. J.K. KAUSHIK, JUDICIAL MEMBER.

: O R D E R :

(Per Hon'ble Mr. J.K. Kaushik, Judicial Member)

Hardwari Lal has filed this Original Application under Section 19 of the Administrative Tribunals Act, 1985 ~~now~~ praying

... 2 ...



therein for a direction to the respondents to regularise the applicant on the post of Clerk Cum Typist on the basis of scrutiny of service record and viva voce test and also for declaring the cut off date of 7/8.5.87 as last date of regularisation of MCCs working in construction organisation or in division on adhoc basis by way of scrutiny of service record and viva voce test.

2. The facts and grounds mentioned in this Original Application are almost similar and identical to the one mentioned in the O.A. No. 178/2002, Ramchander vs. Union of India and Ors. with the difference that applicant in the present O.A. was initially appointed to the post of Gangman on 03.12.1983 and also been reverted from the post of Clerk Cum Typist to the post of Gangman. The controversy in the case of Ramchander (supra) has already been adjudicated upon and resolved today i.e. vide order dated 25.07.2002 and the issue does not remain res integra. Thus, there is no necessity to repeat the discussion afresh and we follow the judgement in Ramchander case (supra) and decide the O.A. on the similar lines.

3. We pass the order as under:-

"Following detailed reasons recorded in our order dated 25.07.2002 passed in O.A. No. 178/2002, we do not find any force or merit in the Original Application, the same fails and is hereby dismissed in limine with no order as to costs."

The Registry is directed to place a copy of order dated 25.07.2002 passed in O.A. No. 178/2002, Ramchander vs. Union of India and Ors., in this case also.

JK
(J.K. KAUSHIK)

Judl. Member

GS
(GOPAL SINGH)
Adm. Member

Part II and III destroyed
in my presence on 24/7/02
under the supervision of
section officer () as per
order dated 14/7/02

Section officer (Records)

Copy of order along with OA
page 15 post 285 to 287 send to P.T to R.B
inside 31-7-02