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कृ.प्र.श. (प्रक्रिया) नियमावली के नियम 22 के अन्तर्गत चिः शुल्क प्रति

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH**

O.A. NO. 228, 229, 230, 231, 232, 233, 234, 235, 236 and 237 of 2007
JODHPUR : THIS THE 19TH DAY OF SEPTEMBER, 2007.

CORAM:

**Hon'ble Mr. Kuldip Singh, Vice Chairman,
Hon'ble Mr. Taresem Lal, Administrative Member**

Kishna Ram S/o Shri Lachman Ram aged about 54 years Gangman under Permanent Way Inspector, Lalgarh, North Western Railway, Bikaner Division, Bikaner R/o V.P.O. Sawantsar, Post Office Sudasar, District Bikaner.

OA No. 228/2007.

Goverdhan S/o Shri Jeva Ji, aged about 54 years, Gangman under Permanent Way Inspector, Sudsar, North Western Railway, Bikaner Division, Bikaner R/o V.P.O. Benisar, District Bikaner.

OA No. 229/2007.

Rameshwar S/o Shri Prema Ramji, aged about 52 years, Gangman under Permanent Way Inspector, Sudsar, North Western Railway, Bikaner Division, Bikaner R/o V.P.O. Benisar District.

OA No. 230/2007.

Bhanwar Lal S/o Shri Chotu Ram aged about 51 years, working as Khalasi under Inspector of Works at Lalgarh, Bikaner, North Western Railway, Bikaner Division, Bikaner R/o Village and Post Office Jamsar Opp. Railway Station, District Bikaner.

OA No. 231/2007.

Raju Singh S/o Shri Tolu Singh aged about 49 years, working as Pointsman under Station Superintendent, North Western Railway, Bikaner Division, Bikaner R/o Quarter No. E-1-C Railway Colony, Post Office Sudasar, District Bikaner.

OA No. 232/2007.

Gauri Shankar S/o Shri Chotu Ram aged about 46 years working as Retiring Room Attendant under Station Master Bikaner North Western Railway, Bikaner Division, Bikaner R/o Usto Ki Bari, Near Basant Studio, Bikaner.

OA No. 233/2007.

Ch. M.
**COMPARED
CHECKED**

Surta Ram S/o Shri Bholu Ram aged about 48 years, working as Keyman under Inspector of Works at Ratangarh, North Western Railway, Bikaner Division, Bikaner R/o Village and Post Office Benisar, District Bikaner.

OA No. 234/2007.

Sugan Singh S/o Shri Lal Singh aged about 50 years working as Pointsman under Station Superintendent, North Western Railway, Bikaner Division, Bikaner R/o Quarter No. T-6, Railway Colony, Post Office Sudasar, District Bikaner.

OA No. 235/2007.

Mala Ram S/o Shri Akha Ram aged about 52 years, working as Gangman under Inspector of Works at Sudsar, North Western Railway, Bikaner Division, Bikaner, R/o Village and Post Office Sudsar, District Bikaner.

OA No. 236/2007.

Mala Ram S/o Shri Mohan aged about 48 years, working as Gangman under Inspector of Works at Sudsar, North Western Railway, Bikaner Division, Bikaner R/o Village and Post Office Sudsar, District Bikaner.

OA No. 237/2007

.....Applicants.

Mr. Y.K. Sharma, counsel for the applicant, present.

Versus

1. Union of India through the General Manager
North Western Railway, Jaipur.

2. The Divisional Personnel Officer,
North Western Railway, Bikaner.

.....Respondents.

**ORDER(ORAL)
BY THE COURT**

In all these Applications, the facts, cause of action and the relief(s) prayed are similar, therefore, they are being disposed of by this common order.



2. By virtue of these Applications, the applicants' prayed that the respondents be directed to grant Temporary Status and further to arrange the difference of wages along with interest and grant yearly increment(s) and admissible leave.



It is apparent that in all these OAs applicants' were engaged on different dates from 1977 to 1985 under the respondents as Casual Labour. It is pleaded that according to Rule 2001 of IREM Vol. II, if a Casual Labour puts continuous service of 120 days, he becomes eligible for grant of temporary status. In support of his case, he has shown Para 2001 of the Manual which speaks that Casual Labours on Railway, should ordinarily be employed on open line and project work basis. The learned counsel points out that as per the Railway Board's order dated 21.3.1974 which pertains to P.S. No. 6101 (Annex. A/3), it is the responsibility of the Administration to bring the Casual Labour(s) who have continuously been employed for a period of four months to authorised scale of pay and the individual attains temporary status automatically and also becomes entitled to receive wages and increments in regular scale of pay. It is further pleaded that the representation submitted by the applicants to the respondents has not been replied with wherein they have referred P.S. No. 6101 also, but no reply has been received so far.

4. We, after hearing the arguments of learned counsel for the applicants to some extent and without going into the merits of the case, find that it would be appropriate to give a direction to the respondent - railways to look into the applicants' O.A. and decide the representation of

I/8

4.



the applicants' within a reasonable time by a detailed speaking order.

Ordered accordingly. The respondents are given three months time to do the needful. The O.As stand disposed of at the stage of admission. If any grievance survives thereafter, the applicants would be at liberty to approach this Tribunal. A copy of the O.A. be also sent to the respondents along with this order.

Sd/-
[TARSEM LAL]
MEMBER[J]

Sd/-
[Kuldip Singh]
Vice Chairman

CERTIFIED TRUE COPY
Dated 21-9-2007

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अनुसार अधिकारी (न्याय)
Section Officer (Judi)
केन्द्रीय प्रशासनिक अधिकार
Central Administrative Tribunal
जोधपुर न्यायालय, जोधपुर
Jodhpur Bench, Jodhpur.

jrm

26/09/1962

Part II and III destroyed
in my presence on 26.9.62
under the supervision of
Section Officer () as per
order dated 26.9.62.

Section Officer (Record)