

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

No. O.A.1097/1997

Date of order : 29.4.2004

Present : Hon'ble Mr. Justice B. Panigrahi, Vice-Chairman  
Hon'ble Mr. N.D. Dayal, Administrative Member

V.S. SUKUMARAN  
VS.  
UNION OF INDIA & ORS.

For the applicant : Mr. S.K. Dutta, counsel  
For the respondents: Ms. S. Banerjee, counsel

O R D E R

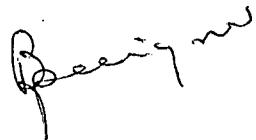
Per Justice B. Panigrahi, V.C.

In the midst of hearing it is found that the applicant was engaged as casual Fitter Gr.III on daily rate basis in Waltair-Kirandole Electrification Project. He attained temporary status as Fitter Gr.III with effect from 1.1.1984 in the scale of pay of Rs.260-400/- (RS) and termed as Ty. Project Casual Labour. After completion of work the authorities, however, did not retrench him and allowed him to be engaged in Koraput-Rayagada S&C Project. Therefore, the applicant has claimed regularisation as Gr.III Fitter. In order to substantiate his claim he also relied upon a judgment passed by the Tribunal in O.A.No.1003/1993 in the case of V.A.Saradamma & Ors. Vs. Union of India & Ors.

2. Since at the moment the S.E. Railway has been bifurcated and East-Coast Railway has been constituted, all the erstwhile employees of the South Eastern Railway of Waltair Division were transferred under the jurisdiction of the East-Coast Railway. In that view of the matter Mr. Dutta, ld. counsel appearing on behalf of the applicant has submitted that the applicant will file a fresh application before the appropriate Bench.

3. Accordingly the application is treated as 'withdrawn' for want of jurisdiction subject to the liberty to file a fresh case on identical cause of action before the appropriate bench.

  
MEMBER (A)

  
VICE-CHAIRMAN