

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No.397 of 1997

Present: Hon'ble Dr. B.C. Sarma, Administrative Member

Hon'ble Mr. D. Purakayastha, Judicial Member

SMT. RENUKA BHOWMIK

BOKUL BHOWMIK

VS

1. Union of India service through
The General Manager,
South Eastern Railway,
Garden Reach
Calcutta-43

2. The Chief Personnel Officer,
South Eastern Railway
Gardeh Reach
Calcutta-43±

3. The Sr. Divisional Personnel Officer,
South Eastern Railway,
Kharagpur

4. The B.R.I.,
S. E. Railway,
Kharagpur

... Respondents

For the Applicants : Mr. A. Chakraborty, counsel
For the Respondents: None

Heard on 19.12.1997

: :

Date of order: 19.12.1997

O R D E R

B.C. Sarma, AM

In this application applicant No.1, who is the wife of a deceased Gangman under the B.R.I., Kharagpur, S.E. Railway has made two prayers (1) for the regularisation of the services of her deceased husband and (2) for grant of compassionate appointment to her son who is applicant No.2.

2. When the admission hearing of the matter was taken up, no one appears for the respondents. However, we think it proper to adjourn the matter any further and decide to dispose it at

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When it was pointed out by the Bench that multiple reliefs have been prayed for in this application Mr. Chakraborty, learned counsel for the applicants abandoned the second prayer regarding grant of compassionate appointment to applicant No.2 with the prayer that he may be given liberty to file a separate application. Liberty is granted subject to limitation.

4. Mr. Chakraborty argues that DIRM(P) S.E. Railway, Kharagpur has already issued orders on 12.2.96, as mentioned at Annexure/A to the application. It is the specific contention of the applicants that the deceased Railway employee has worked continuously as a casual labour for more than 20 years and, therefore, he is entitled to get the benefit of regularisation of service. Moreover, his name has also appeared in the panel. The Full Bench of this Tribunal has already decided that casual labour rendering more than 20 years of service shall be deemed to have been regularised. Moreover in view of the Annexure/A to the application we are of the view that a suitable direction is called for in this case. Accordingly the application is disposed of at the stage of admission itself with the direction that respondent No.3, who is the Sr.D.P.O., S.E. Railway Kharagpur shall treat the instant application as a fresh representation filed by applicant No.1 and shall dispose it of as per rules within a period of three months from the date of communication of this order. If as a result of such consideration the applicant's deceased husband is found entitled to regularisation of service such orders shall be passed within the said period and the result of such consideration shall also be conveyed to the applicant No.1 within a period of one month from the date of taking such decision. She shall also be given all consequential benefits. Keeping in view the letter dated 12.2.96. No order is passed as regards costs.



(B. C. Sarita)

MEMBER (A)