

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A.No.437/95

Dated this the 24th day of July, 1996.

CORAM:

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR.P.V.VENKATAKRISHNAN,ADMINISTRATIVE MEMBER

K.P.Dasan,
Khalasi,
CIOW/O/ERS(Chief Inspector of Works/Office/Ernakulam)
Southern Railway,
Trivandrum Division.

..Applicant

(By Advocate Mr.Majnu Komath)

vs.

1. Union of India represented by the Chairman,
Railway Board, Rail Bhavan, New Delhi.
2. The Divisional Railway Manager,
Southern Railway, Trivandrum.
3. The Divisional Personnel Officer,
Southern Railway, Trivandrum.

..Respondents

The application having been heard on 24th July, 1996, the Tribunal on the same day delivered the following:

ORDER

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN:

Applicant, a Khalasi working as Plumber for a long time, seeks a direction to respondents to regularise him in the post of Plumber. Undisputedly he has been working as a Plumber and his abilities have been recognised as seen from A3 order. A3 states:

"A cash award of Rs.200/- has been sanctioned to K.P.Dhasan, Khalasi of CIOW/ERS in recognition of the good work done by him, in connection with commissioning of carriage watering arrangements...."

We find that another employee who is similarly situated has been granted

regularisation in O.A.1436/91. We are aware that the grant of a benefit to one person will not entitle another, to claim it. See Chandigarh Administration and another vs. Jagjit Singh and another(AIR 1995 SC 705). All the same when the Railways acted without demur and granted a benefit to a person similarly situated, they are at least bound to consider the case of applicant, whose skills have been acknowledged by them.

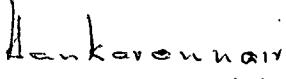
2. In the reply statement, it is said that applications were invited for the post of Artisans and Khalasis including Plumber, by office letter No.V/P.608/I.Engg. Artizan Vol. IV dated 21.5.92 and that the applicant has submitted an application on 2.6.93(produced as R.1). In the circumstances, we direct respondents to trade test applicant on the basis of the invitation and application aforesaid, and take appropriate action.

Original application is allowed as above. No costs.

Dated the 24th July, 1996.


P.V. VENKATAKRISHNAN

ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

List of Annexures

1. Annexure A-3:- True copy of the communication No. V/W.349/Awards dated 29.1.1993 issued from the Divisional Officer, Works Branch, Trivandrum, Trivandrum Division of Southern Railway.
2. Annexure R-1:- Applicant's application dated 2.6.93 for the post of Plumber Khalasi