

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A. No. 446/98

Thursday, this the 3rd day of June, 1999.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

O.M. Thankamma,  
D/o. Kannanji,  
Ex-Casual Labourer,  
Southern Railway,  
Trivandrum Division,  
Residing at:  
Edavelikkal House,  
Velloor Kara, Mevelloor,  
Thalayolaparamou Post,  
Kottayam District.

...Applicant

By Advocate Mr. T.C. Govindaswamy

Vs.

1. Union of India represented by  
The General Manager,  
Southern Railway,  
Headquarters Office,  
Park Town P.O.,  
Madras - 3.
2. The Divisional Railway Manager,  
Southern Railway,  
Trivandrum Division,  
Trivandrum - 14.
3. The Divisional Personnel Officer,  
Southern Railway,  
Trivandrum Division,  
Trivandrum - 14.
4. C.K. Thankamma,  
Gang Man,  
Under Section Engineer,  
(Permanent Way),  
Southern Railway,  
Kottayam.
5. V. Binulal,  
Gang Man,  
Under Section Engineer,  
(Permanent Way),  
Southern Railway,  
Mavelikkara.

...Respondents

By Advocate Mr. Thomas Mathew Nellimoottil

The application having been heard on 3.6.99, the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

The applicant, who claims to have been initially engaged in the Construction Organisation on 3.10.1972 till 5.7.1976, again re-engaged on 3.9.1981 in the Open Line Department and disengaged on 20.9.1981 and thereafter engaged in the year 1990 as Water Carrier upto 30.6.90 is aggrieved that she has not been further considered for re-engagement and absorption in regular service of the Railways while persons with lesser length of casual service than her has already been re-engaged/absorbed. The applicant made a representation on 20.5.97 to the third respondent but without any success. Therefore, the applicant has filed this application seeking to quash Annexure A-1 order by which many others like respondents 4&5 who claims to be juniors of the applicant have been empanelled and for a direction to the respondents to include the applicant's name in the panel at the appropriate place.

2. The respondents have filed reply statement refuting the allegations made in the application and contesting the claim of the applicant. When the application came up for final hearing, today, the counsel on either side agreed that the application may be disposed of with a direction to the third respondent to take an appropriate decision on Annexure A-2 representation made by the applicant after giving the applicant an opportunity of a personal hearing as also to produce supporting documents to establish her claim.

3. In the result, in the light of the submissions made by learned counsel on either side, the application is disposed of

directing the third respondent to take an appropriate decision on the representation of the applicant, Annexure A-2 and communicate the same to the applicant after giving her an opportunity to be heard in person and to produce any supporting documents which she might wish to produce within a period of three months from the date of receipt of a copy of this order. No costs.

Dated this the 3rd day of June, 1999.



A.V. HARIDASAN  
VICE CHAIRMAN

nv  
3599

LIST OF ANNEXURES REFERRED TO IN THE ORDER

1. Annexure A-1:

A true copy of the memorandum No.V/P.564/I/Emp/TVC Divn./Vol.5 dated 13.2.97 issued by the third respondent.

2. Annexure A-2:

A true copy of the representation dated 20.5.97 submitted by the applicant to the second respondent.