

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

OA No.464/04

Dated Friday this the 25th day of June, 2004.

C O R A M

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN

T.Ambethkar  
S/o Theethan  
Ex.Casual Labourer  
Southern Railway  
Palakkad Division.  
now residing at Nasankottiah Ward  
No.13, Harur P.O.  
Harur Taluk  
Dharmapuri District.

Applicant

(By advocate M/s Santhosh & Rajan)

Versus

1. Union of India represented by  
the General Manager  
Southern Railway  
Chennai.
2. The Senior Divisional Personnel Officer  
Southern Railway  
Palakkad.

Respondents.

(By advocate Mrs.Rajeswari Krishnan))

The application having been heard on 25th June, 2004 the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN

The applicant who claims to have rendered casual service under the respondents for 696 days and was engaged upto 18.7.85, finding that he was not being considered for absorption to the post of Trackman although persons with lesser length of service had been considered, submitted a representation (Annexure A-5) to the second respondent seeking inclusion of his name in the live register as also consideration for his absorption. The above representation has not been considered and disposed of. Therefore, the applicant has filed this application for a declaration that the non-inclusion of the name of the applicant in the live register of casual labourer of Palakkad Division of

the Southern Railway is illegal and for a direction to the 2nd respondent to include the name of the applicant in the liver register taking into account his 696 days of casual labour service and also to consider him for absorption as Trackman. He has, inter-alia, prayed for a direction to the 2nd respondent to consider and dispose of A-5 representation.

2. When the application came up for hearing, Mrs. Rajeswari Krishnan, advocate, appeared and took notice on behalf of the respondents. The learned counsel on either side agreed that the application may be disposed of directing the second respondent to consider A-5 representation of the applicant and to give the applicant an appropriate reply within two months from the date of receipt of the copy of this order. The counsel agreed that if the representation A-5 is not readily available with the respondents, the copy thereof produced along with this OA can be treated as his representation.

3. In the light of what is stated above, this application is disposed of directing the second respondent to consider the A-5 representation of the applicant in the manner as stated above in the light of the rules and instructions on the subject and to give the applicant an appropriate reply within a period of two months from the date of receipt of the copy of this order. No order as to costs.

Dated 25th June, 2004.



A.V. HARIDASAN  
VICE CHAIRMAN

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