

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A. No. 496/98

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

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

K.C. Janaki,  
D/o. Chennan,  
Ex-Casual Labourer,  
Southern Railway,  
Trivandrum Division,  
Residing at: Kalluvelil,  
Erumpayam Post,  
Kottayam.

...Applicant

By Advocate Mr. T.C. Govindaswamy

Vs.

1. The Divisional Railway Manager,  
Southern Railway,  
Trivandrum Division,  
Trivandrum - 14.
2. The Senior Divisional Personnel Officer,  
Southern Railway,  
Trivandrum Division,  
Trivandrum - 14.

...Respondents

By Advocate Mr. James Kurian, ACGSC

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 rendered casual service under the Southern Railway, Trivandrum Division from 26.4.67 till 20.10.71 claims re-engagement and absorption on the ground that many others who had lesser length of casual service than her have been considered and re-engaged. The applicant made representations to the Divisional Personnel Officer in this regard (Annexures A-1, A-2&A-4). The earliest of the representation is dated 20.9.96. It is stated in the application

that the applicant had registered her name for re-engagement in 1987 but she has not received any reply. The applicant, therefore, seeks a direction to respondents to include her name in the Live Register and to consider her for re-engagement/absorption.

2. The respondents denies the allegation that the applicant has registered her name for re-engagement in the year 1987 and pleads that the case of the applicant for re-engagement cannot be considered at this distance of time.

3. I have perused the pleadings and materials on record. I am not satisfied that the applicant has made any request for inclusion of her name in the Live Register before 31.3.87 being the cut-off date prescribed by the Apex Court in Dhakshin Railway Employees Union Vs. Union of India. A mere averment that the applicant had registered her name in the year 1987 without any proof to establish the same while the respondents have categorically denied it cannot establish the applicant's claim.

4. In the result, in the light of what is stated above, the application fails and the same is dismissed with no order as to costs.

Dated this the 3rd day of June, 1999.

  
A.V. HARIDASAN  
VICE CHAIRMAN

nv  
3699

..3/-

LIST OF ANNEXURES REFERRED TO IN THE ORDER

1. Annexure A-1:

A true copy of the representation dated 20.9.96 submitted by the applicant to the second respondent.

2. Annexure A-2:

A true copy of the application dated 14.3.97 submitted by the applicant.

3. Annexure A-4:

A true copy of the representation dated 25.7.97 submitted by the applicant to the second respondent.