

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A.No.506/1997

Wednesday this, the 9th day of April, 1997.

CORAM:

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

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

K.V.George,  
Welder,  
Southern Railway,  
Kollam.

..Applicant

(By Advocate Mr.P.K. Madhusoodhanan)

vs.

1. Union of India, represented by the General Manager, Southern Railway, Park Town, Madras -3.
2. The Senior Divisional Personnel Officer, Southern Railway, Trivandrum -23.
3. The Section Engineer(Bridges), Southern Railway, Kollam. ..Respondents

(By Advocate Mrs.Sumathi Dandapani)

The Application having been heard on 9.4.1997, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE SHRI A.V.HARIDASAN, VICE CHAIRMAN:

The grievance of the applicant who is a Skilled Artisan working as Welder under the respondents is that discarding his unwillingness the respondents have posted him to work as a Gangman in the scale of Rs.800-1150. The applicant's case is that he is entitled to continue as a C.P.C. casual labourer in the Skilled Grade and to get absorption in a Skilled grade in the quota reserved for decasualisation. The applicant has therefore impugned the order A2 to the extent it affects

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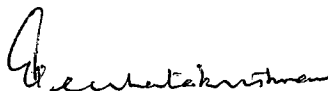


him and has prayed that the respondents be directed not to give effect to the impugned order to the extent it affects him and to regularise him in any one of the vacancies of Welder in the scale of Rs.950-1500 existing in Kollam under the respondents.

2. When the application came up for hearing learned counsel for respondents stated that if the applicant is not willing to be absorbed as a Gangman, the respondents have no objection in allowing him to continue as a CPC casual labourer Welder with the risk of being retrenched in accordance with law and that his case for absorption in the Skilled grade Welder will be considered in his turn.

3. In the light of the above submission of the learned counsel for the respondents, this application is disposed of setting aside the impugned order to the extent it affects the applicant and directing the respondents to allow the applicant to continue as a Skilled grade Welder, of course with the risk of being retrenched for want of vacancies and to consider his absorption in the same grade in accordance with law and in his turn. No order as to costs.

Dated the 9th April, 1997.



P.V.VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER



A.V.HARIDASAN  
VICE CHAIRMAN

LIST OF ANNEXURE

Annexure - A2 : True copy of the office Order  
No.23/97/WP dated 24-3-1997  
issued by the 2nd respondent.

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