

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 507 of 1996

Wednesday, this the 25th day of March, 1998

CORAM

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

1. N. Velayudhan Ex. Casual Labourer,
S/o Koran, Palghat Division.
Nellaya House,
PO Ganeshagiri,
Shornur.
2. N.C. Raman, -do-
S/o Chami,
Narikode House,
PO Kinavallur, Parli.
3. C. Shanmugham, -do-
S/o Chathan,
Kakkarakalam House,
PO Vadavannur,
Palakkad.
4. K. Rajan, -do-
S/o C. Kandan,
Ambalaparambu House,
PO Vadavannur,
Palghat District.
5. V. Kunjan, -do-
S/o Chami,
Vachakkara House,
PO Manisseri (via)
Ottapalam.
6. K. Janaki, -do-
D/o Kunchan,
Thottathil House,
PO Mannanur (via),
Kavalappara.
7. K.P. Kunhilakshmi, -do-
D/o Karappan,
Koodathilpadi,
Vaniyamkulam Village,
Mannanur (via),
Kavalappara.
8. K. Udayakumar, -do-
S/o K. Padmanabhan,
Kunnancherry House,
PO Koottaparambu,
Kozhikode-673 008
9. N. Ramachandran, -do-
S/o N. Kunhadi,
Nellaya House, Mandamukha,
PO Ganeshagiri, Shornur.

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10. P. Kumari, Ex. Casual Labourer,
D/o late Krishnan, Palghat Division.
Pulavazhithodi,
Mannanur PO,
Kavalappara,
Palghat District.
11. C. Mani, -do-
S/o Chathan,
Kakarakalam House,
PO Vadavannur,
Palghat.
12. K.P. Karthiyani, -do-
D/o Ayyappan,
Koodathilpadi House,
PO Mannanur (via),
Kavalappara,
Pin - 679 523
13. K. Lakshmi, -do-
W/o Narayanan,
Naduvathappara, Kamba,
PO Kinavallur, Parli.
14. V. Unnikrishnan, -do-
S/o Raman,
Pandiylalil House,
PO Ganeshagiri,
Shornur.
15. K.P. Ramadasan, -do-
S/o Kunhan,
Kuttukattuparambil,
Harijan Colony,
Kallipadam, Shornur-2
16. M. Sankaran, -do-
S/o Elimba,
Mooriyilpadi,
Paiyamkulam Village,
PO Thizhilpadam,
(via) Chelekkara.
17. C. Krishnankutty, -do-
S/o Chamf,
Porappathparambil House,
Karakkat,
PO Kavalappara, Shornur.
18. A.C. Kothakutty, -do-
S/o Chathan,
Pottathparambil House,
Karakkad PO,
Kavalappara, Shornur.

.. Applicants

By Advocate Mr. TC Govindaswamy

Versus

1. Union of India through the Secretary to the Government of India, Ministry of Railways, Rail Bhavan, New Delhi.
2. The Chairman, Railway Board, Rail Bhavan, New Delhi.
3. The General Manager, Southern Railway, Park Town PO, Madras-3
4. The Divisional Personnel Officer, Southern Railway, Palghat Division, Palghat.
5. The Divisional Railway Manager/Works, Southern Railway, Palghat Division, Palghat. .. Respondents

By Advocate Mr. Thomas Mathew Nellimoottil

The application having been heard on 25-3-1998, the Tribunal on the same day delivered the following:

O R D E R

Applicants seek to declare that the refusal to empanel and absorb them against Group 'D' vacancies in the Palghat Division of Southern Railway in preference to casual labourers with lesser number of days of service is arbitrary and illegal and to direct the respondents to empanel and absorb/appoint them against Group 'D' vacancies in Palghat Division of Southern Railway in preference to casual labourers with lesser number of days of service.

2. When the OA was taken up for hearing, the learned counsel appearing for the applicants submitted that it is suffice to permit the applicants to submit a joint representation stating the factual position as well as the rules, orders, circulars and notifications applicable to

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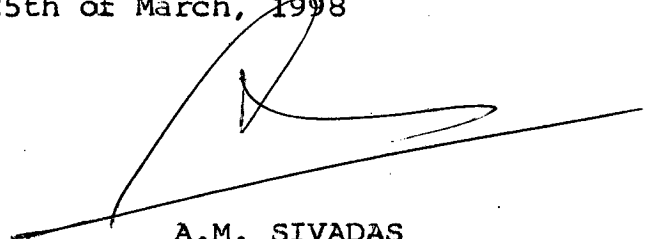


them to the 3rd respondent and direct the 3rd respondent to dispose of the same by a speaking order within a reasonable time bearing in mind what is stated in A-3 order dated 12-7-1993 passed by this Bench of the Tribunal in O.A. Nos. 1683/91 and 1515/92. The learned counsel appearing for the respondents submitted that there is no objection for adopting such a course.

3. Accordingly, the applicants are permitted to submit a joint representation to the 3rd respondent setting out in detail the factual position as well as the rules, orders, circulars and notifications applicable to them within two weeks from today. If such a representation is received, the 3rd respondent shall consider the same and dispose it of by a speaking order bearing in mind what is stated in A-3 order within a period of three months from the date of receipt of the representation.

4. The original application is disposed of as above.
No costs.

Dated the 25th of March, 1998

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line and a small loop at the end.

A.M. SIVADAS
JUDICIAL MEMBER

LIST OF ANNEXURE

Annexure A3: Judgment in OA.1683/91 dated 12.7.1993
rendered by Central Administrative
Tribunal, Ernakulam Bench.

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