

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.512/97

Thursday, this the 10th day of April, 1997.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

C Thomas,
Khalasi,
Bridge Inspector's Office,
Southern Railway,
Ernakulam. - Applicant

By Advocate Mr VR Ramachandran Nair

Vs

1. Union of India represented by
the General Manager,
Southern Railway, Madras.
2. The Senior Divisional
Personnel Officer,
Southern Railway, Trivandrum.
3. The Senior Divisional Engineer,
Southern Railway, Trivandrum. - Respondents

By Advocate Mrs Sumathi Dandapani

The application having been heard on 10.4.97 the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

The grievance of the applicant who has been working
as Casual Khalasi for a long time is that, against his
willingness he is being posted as a Gangman by order dated
25.3.97. His claim is that he is entitled to be directly
absorbed as Khalasi in the quota reserved for such absorption.

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The applicant has therefore prayed that the impugned order at A-6 may be quashed to the extent it posts the applicant as Gangman and that the respondents may be directed to allow him to continue as Khalasi in the Bridge Inspector's Section, Quilon and to consider his absorption as Bridge Khalasi against one of the decasualisation vacancies of Bridge Khalasis under the Bridge Inspector, Quilon.

2. Learned counsel for respondents states that the applicant was sought to be absorbed as a Gangman with a view to give him a regular appointment as vacancies in the post of Bridge Khalasi did not arise, and that if the applicant is not interested in getting absorbed as a Gangman, the respondents would have no objection in recalling his posting as Gangman, but the applicant will have to continue as a Casual Khalasi with the risk of retrenchment.

3. Learned counsel for applicant states that the applicant is satisfied if he is allowed to continue as a Casual Khalasi with the risk of retrenchment, and if he could be considered for absorption as a Khalasi in his turn when vacancy arises.


4. In the light of the above submission by the learned counsel at the Bar, we set aside the impugned order A-6 to the extent it affects the applicant and direct the respondents


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to allow the applicant to continue as a Casual Bridge Khalasi with the risk of retrenchment and to consider his absorption as a Bridge Khalasi as and when vacancy in the relevant quota arises in his turn. Application is disposed of as above. No costs.

Dated, the 10th April, 1997.


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


AV HARIDASAN
VICE CHAIRMAN

trs/104

LIST OF ANNEXURE

Annexure A-6 : True copy of the office order No.
24/97/WP and No.V/P.564/I/Emp/TVC/
Vol.V dated 25-3-97 issued by the
2nd respondent ordering to relieve
the applicant as Gangman.
