

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.531/99

Thursday this the 29th day of April, 1999

CORAM

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

B. Anilkumar  
S/o P.R.Balakrishnan  
Ex-Casual Labourer, Southern Railway,  
Trivandrum Division  
residing at Qr.No.379/B  
Hemambika Nagar,  
Palghat.

...Applicant

(By Advocate Mr. T.C.G. Swamy (rep.))

Vs.

1. Union of India represented by the  
General Manager, Southern Railway,  
Headquarters Office, Park Town PO.  
Madras.3.
  2. The Divisional Railway Manager,  
Southern Railway,  
Trivandrum Division, Trivandrum.14.
  3. The Senior Divisional Personnel Officer,  
Southern Railway, Trivandrum Division,  
Trivandrum.14.
- ...Respondents

(By Advocate Mr. Thomas Mathew Nellimootil)

The application having been heard on 29.4.99 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 be a Casual Labourer retrenched after 1.1.81 is aggrieved that because the Railway Administration, according to him, has regularly absorbed persons who have got lesser length of service than him, while he has not been considered for such reengagement or absorption. It is alleged that the applicant has made a representation to the third respondent pointing out the names of the persons who had been absorbed in regular service though they had lesser length of service than him and that this representation

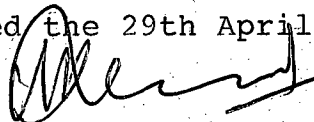
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has not been considered and disposed of. Applicant has therefore, filed this application for a declaration that he is entitled to be reengaged and absorbed in the Transportation (Traffic/Commercial) Department of Southern Railway, Trivandrum Division in preference to casual labourers with lesser number of days of service and casual labourers who are otherwise ineligible and for a direction to engage the applicant.

2. When the application came up for admission, learned counsel for respondents Shri Thomas Mathew Nellimootil states that from Annexure.2 it is not evident as to what is the date on which the representation <sup>was</sup> made. However, counsel agree, that if the applicant would now make a representation to the third respondent with necessary details and supporting documents the same shall be considered <sup>and disposed of</sup> by the third respondent within a reasonable time and that the application may be disposed of accordingly.

3. In the light of the above submission and as agreed to by the counsel on either side, the application is disposed of directing the applicant to make a detailed representation to the third respondent within a week from today and with a direction to the third respondent that if such a representation is received within the stipulated time, the same shall be considered by him and an appropriate reply given to the applicant within a period of two months from the date of receipt of the representation. The applicant may also annex alongwith the representation the details of his engagement and proof thereof, if available. No order as to costs.

Dated the 29th April, 1999

  
A.V. HARIDASAN  
VICE CHAIRMAN