

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

OA No. 579 of 1999

Tuesday, this the 14th day of March, 2000

CORAM

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

1. V. Kunhikannan,  
S/o Ambu Nair,  
Ex-casual Labourer,  
Southern Railway, Palghat Division,  
Residing at: Vayalacherry House,  
Cheruvathur Kovual, Cheruvathur Post,  
Kasargod District. ...Applicant

By Advocate Mr. T.C. Govindaswamy

Versus

1. Union of India represented by  
The General Manager, Southern Railway,  
Headquarters Office, Madras-3
2. The Divisional Railway Manager,  
Southern Railway, Palghat Division,  
Palghat.
3. The Senior Divisional Personnel Officer,  
Southern Railway,  
Palghat Division, Palghat. ...Respondents

By Advocate Mr. Mathews J Nedumpara

The application having been heard on 14th March, 2000,  
the Tribunal on the same day delivered the following:

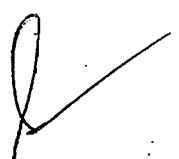
O R D E R

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

The applicant seeks the following reliefs:

- (i) to call for the records leading to the issue of Annexure A8 and quash the same;
- (ii) to direct the respondents to reckon the entire service rendered by the applicant as evidenced by Annexure A1 also and to grant him the appropriate placement in the list of casual labourers of Civil Engineering Department of Southern Railway, Palghat Division with consequential benefits thereof; and
- (iii) to declare that the applicant is entitled to be re-engaged/absorbed in a Group 'D' post, in preference to the casual labourers with lesser number of days of service than the applicant

contd....2



and direct the respondents to grant the consequential benefits thereof from the date of such re-engagement/absorption of persons with lesser number of days of service than the applicant.

2. When the OA was taken up, learned counsel appearing for the applicant submitted that it is suffice to permit the applicant to submit a representation to the 1st respondent for redressal of the grievance of the applicant and to direct the 1st respondent, the General Manager, Southern Railway, to consider the same and pass appropriate orders within a time frame.

3. The learned counsel appearing for the respondents submitted that there is no objection in adopting such a course.

4. Accordingly, the applicant is permitted to submit a representation to the 1st respondent, the General Manager, Southern Railway, within three weeks from today. If such a representation is received, the 1st respondent shall consider the same and pass appropriate orders in accordance with the rules/instructions/circulars in force on the subject within three months from the date of receipt of the representation.

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

Tuesday, this the 14th day of March, 2000



A.M. SIVADAS  
JUDICIAL MEMBER

ak.

List of Annexures referred to in this Order:

1. Annexure A8 - True copy of letter No. J/P O.A. 1765/98 dated 8-4-99 issued by the 3rd respondent.
2. Annexure A1 - True copies of the service cards of the applicant for the period from 25-8-76 to 28-6-82 issued by the Permanent Way Inspector, Southern Railway, Mangalore.