

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.613/2004.

Friday this the 17th day of September 2004.

CORAM:

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

S.Balu, S/o Subban,
77-Balambalpuram, Karur Town,
Karur - 639001, Tamil Nadu. Applicant

(By Advocate Shri.O.V.Maniprasad)

Vs.

1. Union of India, represented by
The General Manager,
Southern Railway,
Chennai.
2. The Senior Divisional Personnel Officer,
Southern Railway, Palakkad,
Kerala. Respondents

(By Advocate Shri P.Haridas)

The application having been heard on 17.9.2004,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.KV.SACHIDANANDAN, JUDICIAL MEMBER

The claim of the applicant is that, he was engaged as Casual Labour with effect from 16.2.78 till 5.7.82 and he was retrenched from service. The grievance of the applicant is that similarly situated employees who are juniors to the applicant were re-engaged as Casual Labourers in the Southern Railway. According to the applicant he had completed 501 days of continuous service without any artificial break. Aggrieved by the inaction on the part of the respondents, the applicant has filed this O.A. seeking the following main reliefs.

- i. To direct the respondents to consider and dispose of Annexure A-5 representation pending before the second respondent forthwith.
- ii. To issue an order directing the respondents to re-appoint/re-engage the applicant as Gangman in accordance with seniority in the live register.



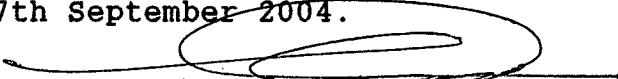
2. When the matter came up for hearing, Mr.O.V.Maniprasad, learned counsel, appeared for the applicant and Shri P.Haridas learned counsel, appeared for the respondents. Learned counsel of the applicant submitted that he has made A-5 representation on 1.8.2004 which is pending before the 2nd respondent and the applicant would be satisfied if a limited direction is given to the 2nd respondent to consider and dispose of the same and pass appropriate orders on A-5 representation within a time frame.

3. Learned counsel of the respondents submitted that he has no objection in adopting such a course of action.

4. In the interest of justice, we direct the 2nd respondent to consider and dispose of A-5 representation and pass appropriate orders within a time frame of two months from the date of receipt of a copy of this order. The applicant is directed to send a copy of the O.A. along with the Annexures appended thereto and a copy of the representation (A5) to the 2nd respondent forthwith.

5. O.A. is disposed of as above. In the circumstance, no order as to costs.

Dated the 17th September 2004.


K.V.SACHIDANANDAN
JUDICIAL MEMBER

rv