

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O. A. No. 68/91  
XXXXXX

199

DATE OF DECISION 9.8.91

C Balan

Applicant (s)

Mr P Sivan Pillai

Advocate for the Applicant (s)

Versus

The Union of India rep. by the General Manager, Southern Railway, Madras-3 and others. Respondent (s)

Mrs Sumathi Dandapani

Advocate for the Respondent (s) for R 1&2  
Noe for R 3 & 4 though served.

CORAM:

The Hon'ble Mr. NV Krishnan, Administrative Member

The Hon'ble Mr. N Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. To be circulated to all Benches of the Tribunal?

JUDGEMENT

Shri NV Krishnan, A.M

The applicant was engaged as a Skilled casual labourer from 22.5.73 and is now working as R.S. Serang in the Skilled Grade of Rs 950-1500. He is aggrieved by the Annexure A2 order dated 20.11.90 by which the CPC Skilled artisans mentioned therein are absorbed in the Skilled Grade-III vacancies earmarked for 25% quota reserved for Skilled casual labourers. His specific grievance is that Respondents 3 & 4 who are at Sl.No.12 & 16 at Annexure A2 are ~~the~~ junior to the applicant and therefore, on this ground he is also entitled to be absorbed in <sup>a</sup> similar manner.

2 The respondents have filed the ir / reply in which it has been submitted that the absorption of Respondents 3 & 4 in the Annexure A2 order is a mistake and that by a subsequent order dated 17.1.91 enclosed with the 4 absorption in 4 reply ~~Annexure A2~~, their ~~posting~~ Skilled grade has been cancelled. They therefore, submitted that now the applicant has no ground to claim absorption and thus the application has become infructuous.

3 The learned counsel for the applicant submits that he is entitled to be absorbed against the vacancies resulting from the order now passed by the respondents. We are of the view that this is a separate matter for which he may make a representation to the department.

4 In the circumstance, we dispose of this application as having become infructuous preserving separate the right of the applicant to make a representation for absorption to Skilled grade.

N Dharmadan 9.8.91  
(N Dharmadan) 9.8.91  
Judicial Member

NV Krishnan 9.8.91  
(NV Krishnan)  
Administrative Member

9-8-1991