

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 71/97

Tuesday this the 8th day of April, 1997.

CORAM

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

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. Muraleedharan B, S/o Balakrishna Pillai,
Parakulathu Mele Puthen Veedu,
Idichakkaplamoodu,
Parassala PO.
2. P.Rajendran, S/o K.Pappukutty,
Thenguvilaputhenveedu, Parassala PO. ... Applicants

(By Advocate Mr. P.Ramakrishnan)

Vs.

1. Union of India, represented by the
Secretary, Ministry of Railways, New Delhi.
2. The General Manager,
Southern Railway, Madras.
3. The Divisional Personnel Officer,
Southern Railway, Trivandrum. ... Respondents

(By Advocate Mr. James J Nedumpara for Mathews J Nedumpara)

The application having been heard on 8.4.1997, the
Tribunal on the same day delivered the following:

O R D E R

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

Applicants two in number who claimed to be
retrenched casual labourers prior to 1.1.81 are aggrieved
that they are not being considered for re-engagement though
their names have been interpolated in the register of
casual labourers. They therefore, have prayed in this
application that the respondents be directed to re-engage
them in preference to their juniors or to dispose of the
representations at Annexure A3 and A4.

2. The respondents in their reply resist the prayer
in the application on the ground that the name of the first

contd.....

applicant is not seen in the register nor has he made any representation and that though the name of one P.Rajendran is there, on account of the disparity in the age shown in the register and in the application it is not possible to reach a conclusion that Shri whose Rajendran's name is there in the register is the same person as the second applicant. Respondents therefore contend that the applicants are not entitled to the reliefs sought.

3. When the application came up for hearing, learned counsel on either side agreed that the application may be disposed of with a direction to consider the representations made by the applicants A-3 and A-4 after giving the applicants an opportunity of personal hearing.

4. In the light of what is stated above, we dispose of this application with a direction to the third respondent to consider and dispose of the representations made by the applicants (A-3 and A-4) after giving them a personal hearing and pass a speaking order within a period of two months from the date of receipt of a copy of this order. If the representations submitted by the applicants are not readily available with the third respondent, respondents are directed that the copies thereof available in the file ^{of this O.A} may be made use of for the purpose of the disposal of the representations. No order as to costs.

Dated the 8th day of April, 1997.


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

ks.

List of Annexures

1. Annexure A3: True copy of representation dated 2.9.96 from the 1st applicant to the 3rd respondent.
2. Annexure A4: True copy of representation dated nil from the 2nd applicant to the 3rd respondent.