

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A. NO. 107 OF 2009**

Thursday, this the 10<sup>th</sup> day of December, 2009.

**CORAM:**

**HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER**

P.Rajendran  
(Ex-Casual Labourer, Southern Railway  
Trivandrum Division)  
Residing at Keezhekombadical Veedu  
Maruthoor, Nayyattinkara  
Trivandrum District. .... **Applicant**

(By Advocate Mr. TCG Swamy )

**versus**

1. Union of India represented by the General Manager  
Southern Railway  
Headquarters Office, Park Town P.O  
Chennai – 3
2. The Divisional Railway Manager  
Southern Railway, Trivandrum Division  
Trivandrum – 14
3. The Divisional Personnel Officer  
Southern Railway, Trivandrum Division  
Trivandrum – 14, .... **Respondents**

(By Advocate Mr. Thomas Mathew Nellimoottil)

The application having been heard on 10.12.2009, the Tribunal on the same day delivered the following:

**ORDER**

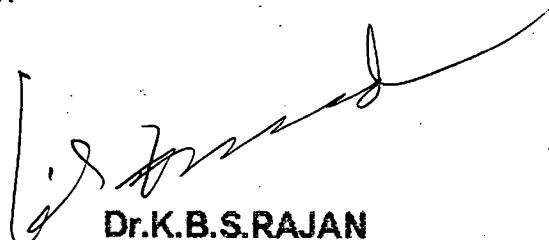
**HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER**

Heard the counsel for the parties.

2. This is a simple Casual Labourer matter wherein the facts are not debated. Vide Paragraphs 5 & 6 of the reply the respondents are inclined to consider the case of the applicant for re-engagement / absorption subject to fulfilling of various other conditions for re-engagement/engagement like medical fitness, identity of persons,

verification of records, character and antecedents and again such re-engagement shall be subject to the outcome of the case pending before the Apex Court. As such, this OA is disposed of with a direction to the respondents to initiate action for re-engagement / absorption of the applicant by calling him for medical verification. This may be done within three months from the date of receipt of a copy of this order. Consideration may be given by the respondents for fixation of notional pay from the date the applicant's junior has been absorbed on regular basis. This is required by virtue of the fact that the case has been contested by the respondents, though they could have conceded at the outset. No costs.

Dated, the 10<sup>th</sup> December, 2009.



Dr.K.B.S.RAJAN  
JUDICIAL MEMBER

vs