

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 116 of 1996

Tuesday, this the 2nd day of December, 1997

CORAM

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

1. K.P. Surendran, S/o C.P.Narayanan Nair,
Welder Grade-III (Under order of reversion)
Permanent Way Inspection Office,
Southern Railway, Tirupathoor,
Palakkad Division (Residing at Kadavathu,
Paruthipra, Shornoor).
..... Applicants
2. M.A. Khan, S/o Basheer Khan,
Welder Grade-III (Under order of reversion)
Permanent Way Inspector's Office,
Southern Railway, Karoor,
Palakkad Division (Residing at Railway
Quarters No. 29, Karoor).
..... Applicants

By Advocate M/s MR Rajendran Nair & Associates

Versus

1. Union of India through
the General Manager,
Southern Railway, Madras.
2. The Divisional Personnel Officer,
Southern Railway, Palghat.
3. K. Aravindakshan, Welder/BRI/CAN
(Bridge Inspector Cannanore),
Southern Railway, Cannanore.
4. T.K. Aboobacker, Welder/PWI/E/PTG
(Permanent Way Inspector East, Pothannur),
Southern Railway, Pothannur.
..... Respondents

By Advocate Mr. PA Mohammed (R1&2)

The application having been heard on 2-12-1997, the
Tribunal on the same day delivered the following:

O R D E R

Applicants seek to quash A-1 order dated 9-1-1996
and to declare that they are entitled to continue as
Welders Grade-III with all consequential benefits.

contd..2.

2. Both the applicants were working as casual labourers (Welders). They were also granted temporary status in the year 1984. They were subsequently absorbed as Skilled Welders Grade-III. As per A-1 order, applicants who were posted as Welders Grade-III against the decasualisation posts were reverted to the post of casual labourers (Welders).

3. According to respondents 1 and 2, the contesting respondents, the applicants have been reverted only due to want of vacancies. The details as to how vacancies are not available to accommodate the applicants as Welders Grade-III are also stated in the reply statement.

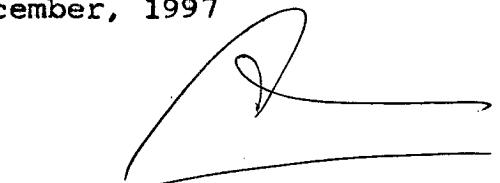
4. Various grounds are raised in the OA. The learned counsel appearing for the applicants was heard. After hearing him and going through the pleadings and the documents made available in this OA, I am convinced that none of the grounds raised could be upheld.

5. Since the reversion of the applicants is only due to want of vacancies, the learned counsel appearing for the respondents 1 and 2 submitted that as and when vacancies arise the applicants will be absorbed as Skilled Welders Grade-III. The submission of the learned counsel for the said respondents is recorded.

6. The original application is accordingly disposed of.

No costs.

Dated the 2nd of December, 1997


A.M. SIVADAS
JUDICIAL MEMBER

LIST OF ANNEXURE

1. Annexure A1: Memo No. J/P 535/IX/Welder dated 9.1.1996 issued by 2nd respondent to the applicant.