

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.176/06

Thursday this the 10th day of March 2005

C O R A M :

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

P.Baby,
W/o.K.Muniyandi,
Retrenched Casual Labourer, Trivandrum Division,
Residing at : Mahimai Illam, Venganamcode,
Pacode Post, Kanyakumari District.

..Applicant

(By Advocate Mr.T.C.Govindaswamy)

Versus

1. Union of India represented by the General Manager,
Southern Railway, Head Quarters Office,
Chennai – 3.
2. Divisional Railway Manager,
Southern Railway, Trivandrum Division,
Trivandrum – 14.
3. Sr.Divisional Personnel Officer,
Southern Railway, Trivandrum Division,
Trivandrum – 14.

..Respondents

(By Advocate Mrs.Sumathi Dandapani)

This application having been heard on 10th March 2005 the Tribunal on the same day delivered the following :-

ORDER

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

The applicant is a retrenched casual labourer of the Civil Engineering Department of Southern Railway, Trivandrum Division borne in the Live Register of retrenched casual labourers with Serial No.2340, reported in the office of 3rd respondent on 21.7.2003 producing original records including the original casual labour card, certificates in proof of date of birth, community certificate etc. as was required by letter dated 20.6.2003 and was awaiting information regarding screening and empanelment as

Gang Woman/Track Woman. Finding that although she within the age limit and that she has not been favoured with any order of appointment or any information regarding that the applicant submitted Annexure A-1 representation to the 3rd respondent on 25.1.2004. Finding no response the applicant took up the matter before the Chairman, Taluk Legal Services Committee, Kuzhithurai, but was told that the authority has no jurisdiction in the matter. Under these circumstances the applicant has filed this application for a declaration that the denial of consideration to the applicant for regular absorption as a Track Woman/Gang Woman in preference to her juniors in the gradation list of retrenched casual labourers is arbitrary, discriminatory and unconstitutional and for a direction to the respondents to consider the applicant for regular absorption as a Track Woman/Gang Woman with consequential benefits.

2. When the application came up for hearing Smt.Sumathi Dandapani appeared for the respondents. Counsel on either side agree that the application may be disposed of directing the 3rd respondent to consider and dispose of Annexure A-1 representation of the applicant and to give him an appropriate reply within a reasonable time.

3. In the light of the above submissions made by the learned counsel on either side the application is disposed of directing the 3rd respondent to consider and dispose of Annexure A-1 representation of the applicant and to give him an appropriate reply within a period of two months from the date of receipt of a copy of this order.

(Dated the 10th day of March 2005)


A.V.HARIDASAN
VICE CHAIRMAN