

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.180/97

Thursday, this the 20th day of February, 1997.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR PV VENKATKRISHNAN, ADMINISTRATIVE MEMBER

1. K Vijayakumari,
Uruppuvila,
Venniyodu.P.O.
(via) Kadakkavil,
Trivandrum.

2. S Prasantha,
Manalivila,
Venniyodu.P.O.
(via) Kadakkavil,
Trivandrum.

- Applicants

By Advocate Mr TC Govindaswamy

vs

1. Union of India through
the General Manager,
Southern Railway,
Headquarters Office,
Park TownP.O.
Madras-3.

2. The Divisional Personnel Officer,
Southern Railway,
Trivandrum Division,
Trivandrum-14.

- Respondents

By Advocate Mr K Karthikeya Panicker

The application having been heard on 20.2.97 the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

The applicants two in number are Casual Labourers who
were retrenched prior to 1.1.81. They have filed this appli-
cation for a direction to respondents to re-engage them as

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Casual Labourers in preference to persons with lesser number of days of casual service than them. When the application came up on 3.2.97, it was noted that there is no averment in the application that they had represented for inclusion of their name in the list of casual labourers prior to 31.3.87. Today when the application came up, learned counsel for applicants under instruction from the applicants states that they have made their representations within the said date.

2. The applicants have filed M.A.152/97 for joining together to file this application. The M.A. is allowed as they have got a common cause of action.

3. During the course of the arguments, learned counsel on either side submitted that the application may be disposed of with a direction to the respondents to consider the representations at A-3 and A-4, to verify the genuineness of the claim made by the applicants regarding their casual service, and if the claim has found to be genuine, to include their names in the list of casual labourers at an appropriate place.

4. In the light of the above submission by the learned counsel at the Bar, we admit the application and dispose it of with a direction to respondents to consider the claim of the applicants projected in the representations at A-3 and A-4 with reference to the casual labour card(A-1 and A-2) and

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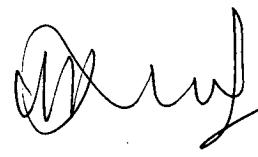
the other documents which may be in the possession of the respondents and if the claim of the applicants are found to be genuine, to interpolate their names in the list of casual labourers and to consider their re-engagement in due turn.

A speaking order on the representations shall be passed and communicated to applicants within a period of two months from the date of communication of this order. No costs.

Dated, the 20th February, 1997.


PV VENKATAKRISHNAN

ADMINISTRATIVE MEMBER


AV HARIDASAN
VICE CHAIRMAN

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List of Annexures

Annexure A1: A true copy of the service card of the first applicant for the period from 6.6.75 to 5.12.80 issued by the Permanent Way Inspector, Southern Railway, Trivandrum.

Annexure A2: A true copy of the service card of the second applicant for the period from 6.4.75 to 25.1.77 issued by the permanent Way Inspector, Southern Railway, Trivandrum.

Annexure A3: A true copy of the representation dated 9.6.96 submitted by the first applicant to the second respondent.

Annexure A4: A true copy of the representation dated 11.6.96 submitted by the second applicant to the second respondent.