

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.NO.186/97

Tuesday, this the 18th day of February, 1997.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

TU Karunakaran,  
Aringodithundil,  
Ponnurunni,  
Vytila.P.O.  
Kochi-682 019.

- Applicant

By Advocate Mr B Ramachandran

Vs

1. Union of India represented by  
the General Manager,  
Southern Railway,  
Chennai.

2. The Divisional Railway Manager,  
Southern Railway, Thykkad,  
Thiruvananthapuram-695 014.

3. The Divisional Personnel Officer,  
Divisional Office,  
Personal Branch, Southern Railway,  
Thykkad,  
Thiruvananthapuram.

- Respondents

By Advocate Mr PA Mohamed

The application having been heard on 18.2.97 the  
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

The applicant who had rendered casual service under  
the 2nd respondent for 198 days during the period 21.3.80 to  
9.1.81 had filed an application, O.A.1484/95 for a direction  
to the respondents to appoint him in a Group 'D' post. The

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application was disposed of with a direction to respondents to consider the case of applicant for re-engagement in the quota that may be available to the category of Scheduled Caste in the order of priority. Pursuant to the above direction, the respondents considered the representation made by the applicant on 30.4.96 and by order dated 3.9.96 at A-2 he was informed that his case was examined in the light of the judgement of the Tribunal in O.A.1484/95, that his request for re-engagement will be considered against the quota earmarked for S.C. community in the order of priority as and when such re-engagement would be resorted to, and that there were other retrenched casual labourers belonging to S.C. community who have put in more number of aggregate days of work than the applicant waiting for consideration for re-engagement. It is aggrieved by that the applicant has filed this application. The applicant states that the respondents are bound to appoint him in a Group 'D' post and therefore he has prayed that the respondents may be directed to appoint him against a Group 'D' post.

2. Shri PA Mohamed, counsel for respondents under instruction from the respondents stated that there are a large number of casual labourers belonging to S.C. category who have put in longer casual service than the applicant yet to be considered for re-engagement and that the applicant's case for re-engagement and for eventual absorption can be considered only on his turn.

3. The applicant has been informed by the respondents that his case would be considered in his turn. He has no preferential right to be straightaway appointed in a Group 'D' post. He has to wait for his turn to come. We therefore do not find any legitimate grievance for the applicant to be redressed. Therefore we reject the application under Section 19(3) of the Administrative Tribunals Act, 1985. No costs.

Dated, the 18th February, 1997.

  
PV VENKATAKRISHNAN

ADMINISTRATIVE MEMBER

  
AV HARIDASAN

VICE CHAIRMAN

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LIST OF ANNEXURE

1. Annexure A2: True copy of Letter No.V/P-171/Group D/  
Special Drive dated 3.9.1996 issued by 3rd respondent  
to the applicant.

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