

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.207/2000

Friday this the 25th day of February, 2000

CORAM

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

1. T.Padmanabhan, aged 48 years, S/o Unneri, Ex-Casual Labourer, Southern Railway, residing at Thalathathil House, Mundamughan, Shornur.
2. K.Narayanan, aged 48 years, S/o Sankaran, Ex-Casual Labourer, Southern Railway, Kundil House, Kulakkalore P.O. Shornur.
3. A.Subramanian, aged 52 years, S/o Anandamudaliyar, Ex Casual Labourer, S.Railway, Muthaliyar Street, Vadakke vazhi, Shornur.
4. C.A.Bappu, aged 52 years, S/o Alikutty, Sidhathnil Pallam PO Shornur. Ex-Casual Labourer, S.Railway.
5. A.Krishnan, aged 52 years, S/o Ayyappan, Pallikara, Nadupara PO Shornur, Ex-Casual Labourer. S Railway.
6. P. Narayankutty, Ex-Casual Labourer, S.Railways aged 48 years, S/o M.Govindan Nair, Mundamughan, Shornur.
7. A.Arunachalam, aged 52 years, S/o Arumughan Ex.Casual Labourer, Southern Railway, South Rond, Ganeshgiri PO Shornur.
8. V.A.Ramdas, aged 47 years, S/o T.Krishnan Nambiar, Ex-Casual Labourer, Southern Railway, Pathiyath Veedu P.O.Kulappally, Shornur.
9. V.Vasu, aged 51 years, S/o Kuttikrishnan Nair, Ex-Casual Labourer, Southern Railway, Kuttath House, Ganeshgiri PO Shornur.
10. T.Prabhakaran, aged 52 years, S/o Narayanan, Ex-Casual Labourer, Southern Railway, Mundai Ganeshgiri PO Shornur.
11. M.Raman, aged 48 years, S/o Kunjandi, Ex-Casual Southern Railway, Mannathanmar House, Parithipara Shornur.

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12. P.A. Madhavan, aged 52 years, S/o Ayyappan, Parakkannathu Veedu, Nedumpatti, V.T.K. Trichur District. Ex.Casual Labourer, Southern Railway.
13. M.Muthu, aged 43 years, S/o Mariyappan, Ex-Casual Labourer, Southern Railway, Mariyannankovil Road, Ganeshgiri, Shornur.
14. P.K.Sankaran, aged 52 years, S/o Krishnan, Pallikara House, Pallom PO Cheruthuruthi, Trichur Dist. Ex-Casual Labourer, Southern Railway.
15. K.Raju, aged 51 years, S/o Krishnan Muthaliyar, Muthaliyar Street, Ganeshgiri Street, Ganeshgiri, Shornur, Ex.Casual Labourer, Southern Railway.
16. A.Rajappan, aged 50. S/o Arumughamuthaliyar, Ex-Casual Labourer, Southern Railway, Mariamman Livil Street, Ganeshgiri, Shornur-3.
17. P.Gangadharan, aged 52 years, S/o Kandu, ~~Southern~~ Ex-Casual Labourer, Southern Railway, Pallath House, Manthagad, Shornur 3.
18. E.Syed Ali, aged 52, S/o Kunjumohammed, Ex Casual Labourer, Southern Railway, Edacheri House, Pallom, Shoranur.
19. C.Unnikrishnan, S/o Kunjunni, aged 52, ~~Ex Casual Labourer~~, Pallom PO. Shornur. Ex-Casual Labourer Southern Railway.
20. K.Lakshmanan, S/o Krishnan, aged 52, Ex-Casual Labourer, Southern Railway, Kudaliyur Street Nanesh Giri, Shoranur.
21. K.Sankaran, aged 52 years, S/o Kadavan, Ex-Casual Labourer, Southern Railway, Mudayn, Ganeshgiri, Shornur.
22. P.Thayyutty, Aged 52 years, S/o Sankaran, Ex-Casual Labourer, Southern Railway, Ganeshgiri, Shornur.

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23. P.K.Muhammad, aged 50 years, S/o Marakkar, Ex-Casual Labourer, Southern Railway, Parakkal House, Pallom PO Palakkad Dt.
24. C. Uaeeph, aged 50 years, S/i Syed, Pallom PO Palakkad, Ex-Casual Labourer, Southern Railway.
25. P.S.Rajan, aged 45 years, S/o Sankaran, Pallikal Veedu, Pallam, Palakkad Dist. Ex-Casual Labourer, Southern Railway.
26. A.Arunughan, aged 40 years. S/o Arunachalan, Bhuvaneswari Nivas, South Road, Ganeshgiri PO Shoranur, Ex-Casual Labourer, Southern Railway.

(By Advocate Mr. P. Ramakrishnan)

Vs.

1. Union of India represented by the General Manager, Southern Railway, Chennai.
2. The Divisional Railway Manager, Southern Railway, Palakkad.
3. The Senior Divisional Personnel Officer, Southern Railway, Palakkad. ... Respondents

(By Advocate Mr. K.V.sachidanandan)rep.)

The application having been heard on 25.2.2000, the Tribunal on the same day delivered the following:

O R D E R

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

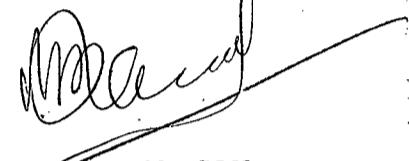
The applicants 26 in number were engaged as casual labourers for loading and unloading of coal under the Loco Foreman, Southern Railway, Shoranur from 1.11.76 to 24.1.82. At the time of their retrenchment they had put in 1910 days of casual service. As the applicants were retrenched without giving them the benefit due to

them, they approached the Hon'ble High Court of Kerala by filing OP.4300/79. Pursuant to the orders of the High Court, the Divisional Railway Manager (second respondent) issued orders giving them retrenchment compensation etc. and informing that their names are being kept in the register for reengagement in future. One such order received by the third applicant is Annexure.A1. Finding that despite the assurance given the applicants are not being engaged and that the respondents are resorting to engage several casual labourers even with lesser length of casual service, the applicants made representations to the third respondent. Copies of the representations made by applicants 1&2 on 25.7.99 to the third respondent are produced as Annexure.A2 and A3. It is stated by the counsel for the applicants that the other applicants have also made similar representations but without any response. Under these circumstances the applicants have jointly filed this application praying that the third respondent be directed to reengage the applicants in terms of the scheme for re-engagement/regularisation of retrenched casual labourers as also to take up Annexures.A2 and A3 representations and other representations submitted by the other applicants and to give ~~an~~ appropriate reply to the applicants within a time to be fixed by this Tribunal.

2. When the application came up for hearing, counsel on either side submitted that the application may be disposed of with a direction to the third respondent to consider A2 and A3 and other similar representations submitted by the applicants and to give them an appropriate reply within a reasonable time.

3. In the result, in the light of what is stated above the application is disposed of with a direction to the respondents to consider the representations made by the applicants Annexures.A2 and A3 and other similar representations and to give the applicants appropriate replies within a period of three months from the date of receipt of a copy of this order. There is no order as to costs.

Dated the 25th day of February, 2000



A.V. HARIDASAN
VICE CHAIRMAN

S.

List of Annexures referred to:

Annexure.A1: True copy of letter No.J/B OP 4300/79 dated 17.5.1984 issued by 2nd respondent to the 3rd ~~xxxxxx~~ applicant.

Annexure.A2: True copy of representation dated 25.7.99 from 1st applicant to the third respondent.

Annexure.A3: True copy of representation dated 25.7.99 from 2nd applicant to the third respondent.

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