

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 227 of 2005

Tuesday, this the 5th day of April, 2005.

CORAM

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. H.P. DAS, ADMINISTRATIVE MEMBER

1. R. Jayakumar,
S/o Raman,
E.B. Camp, Emarald,
Udhagamandalam.
2. A. Rangan,
S/o Ani,
Periya Hibbathalai,
Coonoor.
3. N. Bellie Raj,
S/o Nanjan,
Orasolai Village,
Niang, PO Kottagiri.
4. R. Murali,
S/o Ramakrishnan Alorai,
Kubbathalai,
Koonoor.
5. K.R. Mani,
S/o K. Raman,
Rajalakshmi Printers,
Jagathal, Coonoor.

Applicants

[By Advocate Shri P. Ramakrishnan]

Versus

1. Permanent Way Inspector,
Southern Railway,
Coonoor.
2. The Senior Divisional Personnel Officer,
Southern Railway,
Palakkad.

Respondents

[By Advocate Shri Sunil Jose]



The application having been heard on 5-4-2005, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

Applicants, casual labourers, were retrenched from the services of Railways on 20-1-1981 after working for various spells. The 2nd respondent published a list of retrenched casual labourers to be considered for appointment as Gangman and the applicants figure in the list. Applicants appeared for selection pursuant to Annexure A1 notification dated 10-2-2005 of the 2nd respondent. Applicants also submitted Annexures A2 to A6 representations before the 1st respondent. The contention of the applicants is that they were not issued with casual labour cards and therefore they may not be able to comply with Annexure A1 notification issued by the 2nd respondent. The Original Application has been filed for a limited prayer to direct the 1st respondent to issue appropriate certificate as sought by the applicants in Annexures A2 to Annexure A6 representations and consider their claim accordingly.

2. Shri P. Ramakrishnan, learned counsel appeared for the applicants and Shri Sunil Jose, learned counsel appeared for the respondents.

3. When the matter came up for hearing, learned counsel for respondents submitted that the respondents have received the representations A2 to A6, that the applicants have not reported the office of the respondents and that no separate instructions asking the applicants to produce casual labour cards have been issued.

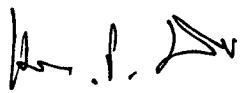


4. Considering the contention of the applicants that their names figure in the Live Register maintained by the respondents though no casual labour card alleged to have been issued, learned counsel for the applicants submitted that the applicants will be satisfied if a direction is given to the respondents to verify such documents and consider the applicants appropriately. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.

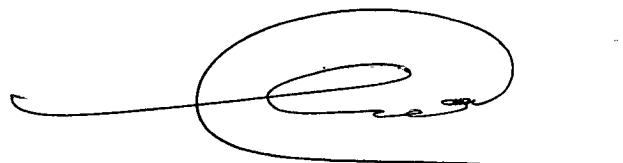
5. In the interest of justice, we also feel it right to give such a direction. Therefore, we direct the 2nd respondent to verify the casual services rendered by the applicants from the records available with the Railways through the 1st respondent or any other authority and if they found eligible, to consider their claim appropriately.

6. The Original Application is disposed of as above at the admission stage itself. In the circumstances, no order as to costs.

Tuesday, this the 5th day of April, 2005



H.P. DAS
ADMINISTRATIVE MEMBER



K.V. SACHIDANANDAN
JUDICIAL MEMBER

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