

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Date of decision: 23-8-1993

Original Application No.308 of 1992

Mathew T

- Applicant

M/s K Ramakumar &
VR Ramachandran Nair

- Counsel for the
applicant

v.

1. The Union of India represented by
General Manager, Southern Railway,
Madras.
2. The Divisional Personnel Officer,
Southern Railway, Trivandrum.
3. The Executive Engineer(Construction),
Southern Railway, Ernakulam. -- Respondents

Mr MC Cherian & TA Rajan

- Counsel for the
respondents

CORAM

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
&
HON'BLE MR R RANGARAJAN, ADMINISTRATIVE MEMBER

JUDGEMENT

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant prays for a direction to respondents, to reinstate him in service with consequential benefits. He had worked as a Casual Labourer(Project) for intermittent spells between 30.6.1980 and 5.8.1985 under respondents. Thereafter, he was retrenched from service. Again in 1989, he worked as Casual Labourer(Openline) for ninety days.

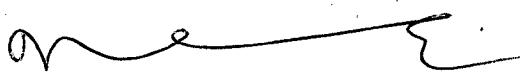
2. He would complain that eight persons junior to him have been engaged, overlooking his rightful claims. In the reply statement, respondents submit that all, but the first

among the eight persons mentioned in para-4 of the application, namely CS Mohanan Nair, are senior to applicant. This statement is not disputed by the applicant. CS Mohanan Nair though junior to applicant, was engaged pursuant to an order of this Tribunal, Annexure-C. Incidentally, the learned counsel for the present applicant appeared in the application leading to Annexure-C. Respondents cannot be faulted for engaging Mohanan Nair, as directed by this Tribunal.

3. However, respondents submit that the applicant will also be engaged when his turn, according to the priority in the live register is reached. His name stands at serial 1556 in that Register. We record the submission. Often applicants come with an assertion, and respondents respond with vague rebuttals. In the instant case, respondents submit that there are 'a number of persons', above applicant. They are not expected to make such nebulous and imprecise statements. They have a register and placement therein can easily be ascertained.

4. Application is without merit, and is accordingly dismissed. No costs.

Dated, the 23rd of August 1993.


R RANGARAJAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

List of Annexures

Annexure-C : True copy of judgement of this Tribunal
in OAK-58/87 dated 15.2.1989.