

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 338 1993.

DATE OF DECISION 10.6.93

K.K. Sarejini Applicant (s)

Mr. P. Sivan Pillai Advocate for the Applicant (s)

Versus

Union of India through the Respondent (s)
General Manager, Southern Railway,
Madras-3 and another

Mr. Thomas Mathew Nellimetttil Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. N. DHARMADAN JUDICIAL MEMBER

The Hon'ble Mr. R. RANGARAJAN ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement? *Y*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. To be circulated to all Benches of the Tribunal? *No*

JUDGEMENT

MR. N. DHARMADAN JUDICIAL MEMBER

Applicant is a casual worker in the Open Line under the Civil Engineering Department of Trivandrum Division of Southern Railway. She is a member of Scheduled Caste community and she has produced Annexure-A-1 to satisfy that she belongs to S.C. community. According to applicant she has worked as casual labourer from 19.10.76 and, was *re*-retrenched on 20.2.84 after 361 days of service. Thereafter, she claimed re-engagement by filing repeated representations. She submitted that she has preferential right because of the fact *xxx* that she belongs to S.C. community. Since her representation was not considered nor *she* was given benefit of re-engagement, she filed this application for a direction to respondents to appoint her against the vacancy reserved for S.C. candidates in accordance with the

Y

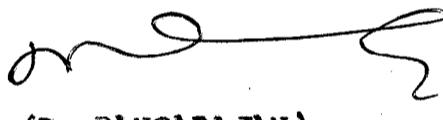
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direction in O.A. 761/91. In the alternative, she prays for a direction to re-engage her as casual labourers in accordance with her turn taking into account her past service.

2. When the case came up for final hearing, learned counsel for respondents is also heard. Learned counsel for respondents has no objection in disposing of the application with appropriate direction to second respondent before whom Annexure A-4 representation is pending. Accordingly, we are satisfied that justice will be met in this case if we direct respondents to consider and dispose of Annexure A-4 representation in the light of Annexure A-5 and A-7 judgments. We direct the second respondent to consider and pass orders on Annexure A-4 within a period of two months from the date of receipt of a copy of this judgment.

3. The application is disposed of on the above lines.

4. There shall be no order as to costs.



(R. RANGARAJAN)
ADMINISTRATIVE MEMBER


10.6.93

(N. DHARMADAN)
JUDICIAL MEMBER

10.6.93

kmm