

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH  
ERNAKULAM

Dated Tuesday the Twentieth day of June, one thousand  
nine hundred and eighty nine

PRESENT

Hon'ble Shri P.K.Kartha, Vice Chairman  
&  
Hon'ble Shri S.P.Mukerji, Vice Chairman

ORIGINAL APPLICATION NO. 365/39

K. Radhakrishna Pillai      )  
A.P. Rajan                    )      Applicants  
                                  )  
                                  Vs.

$v_{S_1}$

1. The Divisional Railway Manager(Works),  
Divisional Office, Works Branch,  
Southern Railway, Trivandrum.
2. The Executive Engineer (Constn),  
Southern Railway, Trichur.
3. The Inspector of Works/III/Construction,  
Southern Railway, Trichur.
4. The Permanent Way Inspector,  
Southern Railway, Trichur. .. Respondents

Counsel for the applicants .. M/s Ashoka M.Cherian  
&CA Joy.

Counsel for the respondents .. Smt. Sumati Dandapani

ORDER

(Shri S.P. Mukerji, Vice Chairman)

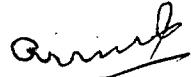
We have heard the learned counsel for both the parties on this application, in which the applicants have mainly prayed that they may not be forced to join as regular Gangmen against their willingness and that they should be continued as ~~a~~ Skilled Casual Labour even with attendant risk involved of retrenchment in accordance with law. The learned counsel for the respondents indicated that if such a declaration has been given there will be no objection to the applicants being continued as Casual Skilled Labour. Such a declaration according to the applicants has been given by in the representation dated 12.6.89, a

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copy of which is at Annexure A.4. Based on this representation and the statement at the bar made by the learned counsel for the applicants we dispose of this application with the direction that the applicants who are not willing to be absorbed as Gangmen and prefer to continue as Skilled Casual Labour may be continued as Skilled Casual Labour without being absorbed as Gangmen with the attendant risk of retrenchment in accordance with law. The impugned order dated 25.5.1989 at Annexure A.1 may not thus be implemented in so far as the two applicants are concerned.



(S.P. Mukerji)  
Vice Chairman



(P.K. Kartha)  
Vice Chairman

20.6.1989

Sn.