

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.373/04

Wednesday this the 10th day of November 2004

C O R A M :

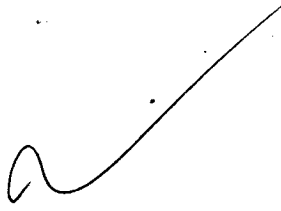
HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN

1. Hentry Lawrence,  
S/o.Lucose,  
Ex-Casual Labourer,  
Southern Railway, Trivandrum Division.  
Residing at : Shijila Bhawan,  
Elanthottam, Dhanuvachapuram P.O.,  
Neyyattinkara Tk, Trivandrum.
2. L.Devaraj,  
S/o.Lazar,  
Ex-Casual Labourer,  
Southern Railway, Trivandrum Division.  
Residing at : Kallingal Vilakam,  
Parasuvaikkal, Parassala,  
Neyyattinkara Tk, Trivandrum.
3. C.Ponnaiyyan,  
S/o.Chellappan,  
Ex-Casual Labourer,  
Southern Railway, Trivandrum Division.  
Residing at : Manchadi Roadigu Vedu,  
Parasuvaikkal P.O., Parassala,  
Neyyattinkara Tk, Trivandrum.
4. S.Rajamoni,  
S/o.Silomani Nadar,  
Ex-Casual Labourer,  
Southern Railway, Trivandrum Division.  
Residing at : Manchadiputhen Veedu,  
Kottamom, Parasuvaikkal P.O.,  
Parassala, Neyyattinkara Tk,  
Trivandrum.

Applicants

(By Advocate Mr.T.C.Govindaswamy)

Versus

1. Union of India represented by  
the General Manager, Southern Railway,  
Head Quarters Office, Park Town P.O.,  
Chennai - 3.
  2. The Divisional Railway Manager,  
Southern Railway, Trivandrum Division,  
Trivandrum - 14.
  3. The Senior Divisional Personnel Officer,  
Southern Railway, Trivandrum Division,  
Trivandrum.
- 

4. The Chairman,  
Railway Board, Railway Bhavan,  
New Delhi.

Respondents


(By Advocate Mr.P.Haridas)

This application having been heard on 10th November 2004 the Tribunal on the same day delivered the following :

O R D E R

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

The applicants four in number filed this application seeking the following reliefs :-

- a. declare that the action of the respondents in not considering the applicants for regular absorption on the ground that they are age barred is totally arbitrary, discriminatory and unconstitutional.
  - b. declare that the respondents are bound to consider the applicants for regular absorption against the vacancies of Trackman/Gangman without any age limit and direct the respondents to grant the consequential benefits thereof.
2. Respondents resist the claim of the applicants.
3. When the application came up for hearing learned counsel of the applicants submits that the application may be disposed of permitting the applicants to make a detailed representation to the 1st respondent and directing the 1st respondent to dispose of the representation in the light of the rules, rulings and instructions on the subject giving the applicants an appropriate reply within a reasonable time. Learned counsel for the respondents has no objection in disposing of the application with such a direction.
4. In the light of the above submissions made by the learned counsel on either side the application is disposed of permitting the applicants to make a detailed and consolidated representation
- 

to the 1st respondent within a month from the date of receipt of a copy of this order and directing the 1st respondent that if such a representation is received the same shall be considered in the light of the rules, rulings and instructions on the subject and disposed of with a speaking order within a period of three months from the date of receipt of the representation.

(Dated the 10th day of November 2004)

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

A.V.HARIDASAN  
VICE CHAIRMAN

asp