

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 378 of 1993

DATE OF DECISION 22- 3- 1993

K. Vijayakumar Applicant (s)

M/s P. Santoshkumar Advocate for the Applicant (s)

Versus
Union of India rep. by the
General Manager, Southern Respondent (s)
Railway, Madras and another.

Mr Thomas Mathew Nellimoottil Advocate for the Respondent (s)
ACGSC

CORAM :

The Hon'ble Mr. N Dharmadan, Judicial Member
and

The Hon'ble Mr. R Rangarajan, Administrative Member

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
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

Shri N. Dharmadan, JM

The applicant is aggrieved by *the* denial of respondents to re-engage him considering *his* earlier service from 1981 till 26.10.86.

2 According to the applicant from 26.10.86 he was not called for any work even though work was available. He studied up to 8th standard and also belongs to SC community. For getting re-engagement, the applicant's father and the applicant filed representations at Annexure-I and Annexure-II before the Divisional Railway Manager, Palghat and Senior Divisional Personnel Officer, Palghat.

3 When the case was taken up for admission, learned counsel for the applicant brought to our notice a letter

issued by the Divisional Personnel Officer, Palghat Division dated 30.1.93 calling upon members of SC community who had prior service in the Railway for submitting application for considering in Group D posts in the Palghat Division, according to which the applicant being a SC candidate and also having prior service in the Railway is entitled to get re-employment in the railway. It is further submitted that though the applicant had submitted a representation dated 10.2.93 before the Divisional Personnel Officer, Palghat in response to the above notification, the same has not yet been disposed of.

4 Having regard to the facts and circumstances, the learned counsel for the applicant submitted that the application may be disposed of, in the interest of justice, with appropriate directions to Respondent-2.

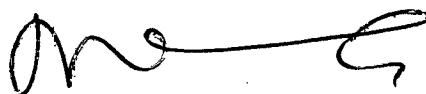
5 We have also heard the learned counsel for the respondents who has no objection in disposing of this D.A. as suggested by the learned counsel for the applicant.

6 Having heard the counsel on both sides, we are satisfied that interest of justice in the case would be met, if we dispose of the application directing Respondent-2 to consider the applicant for re-engagement in the reserved quota for SC on the basis of his representation dated 10.2.93 stated to have been submitted by the applicant before Respondent-2, which if not received by him, he may treat Annexure-I and II as representations

submitted pursuant to the notification for getting re-engagement in the reserved quota and dispose of the same in accordance with law. This shall be done within two months from the date of receipt of a copy of this judgment.

7 The application is disposed of as above.

There will be no order as to costs.



(R Rangarajan)
Administrative Member



(N Dharmadan)
Judicial Member

22.3.93

22.3.93