

**CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH**

Original Application No.01/2007  
This the 5<sup>th</sup> day of January 2007

**HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.**

Shanti Devi aged about adult, w/o Late Shri Shyam Lal, at present resident of Village- Bhitauli, Post-Dhanol, Tehsil-Sandila, District-Hardoi.

...Applicant.

By Advocate: Shri Praveen Kumar.

Versus.

Union of India through

1. The General Manager, Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway, Moradabad.

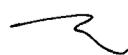
By Advocate: Shri Bhupendra Singh for Shri N.K. Agrawal.

**ORDER (Oral)**

**BY HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.**

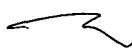
Heard Shri Praveen Kumar, the learned counsel for the applicant and Shri Bhupendra Singh for Shri N.K. Agrawal, the learned counsel for respondents.

2. Heard both sides.
3. It is the case of the applicant that her husband late Shyam Lal was initially engaged as casual labour under Respondent No.2 on 22.09.1971 and subsequently appointed on the post of De-casualised Blacksmith in regular pay scale on 15.12.1986 and his name was also sent for screening first time in the year 1994 but due to some



litigation it could not be finalized. Again, when there was screening on 21.04.1995, his name was sent for screening but unfortunately he died on 30.03.1996. Though, he was declared successful in the screening and because of his death he was not considered. It is also the contention of the applicant that as per Circular dated 03.07.2002 in respect of the matter relating to casual labours who died before the <sup>finalisation of</sup> panel, in such cases where the panel has been delayed on account of the administrative reasons, the name of the deceased casual labour should be borne on the panel alongwith others at the appropriate place they are entitled to the settlement dues to the family of the deceased as if the deceased employee was deemed to have been regularised on the date of his death. Basing on such Circular the applicant has filed a representation-dated 04.12.2003 covered under (Annexure A-4) and also sent a reminder dated 03.08.2005 covered under (Annexure-A-5) but <sup>Represent</sup> ~~they~~ have not taken any decision. It is also the contention of the applicant that if a direction is given to the respondents to dispose of her representation dated 04.12.2003 covered under (Annexure A-4) and also reminder dated 03.08.2005 covered under (Annexure-A-5) by passing a reasoned order within stipulated time, her purpose would be served. The learned counsel for respondents has also not opposed her request for consideration of such representations of the applicant and passing the reasoned order within the stipulated time.

4. In view of the above circumstances, the application is disposed of at admission stage with a direction to the 2<sup>nd</sup> Respondent to consider the representation of the applicant dated 04.12.2003 covered under (Annexure A-4) and also reminder dated 03.08.2005



covered under (Annexure-A-5) and pass a reasoned order taking into consideration the Railway Board Circular dated 03.07.2002 covered under (Annexure A-3) <sup>and</sup> as per the rules and regulations within a period of three months from the date of the receipt of the certified copy of this order. No order as to costs.

  
**(M. KANTHAIAH)**  
**MEMBER (J)**

*S-1-07*

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