

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH AT LUCKNOW

(A13)

O.A. NO. 1140/87 (S)

C.M. (Review) Appl. No. 190/90(L)

Sadhu Ram & others Applicants.
Versus
General Manager, N. RLY. Respondents.
& Others

Hon. Justice Mr. K. Nath, V.C.
Hon. Mr. K. Obayya, A.M.

(By Hon. Justice Mr. K. Nath, v.c.)

We have gone through the review application, as well as, the application for interim relief. It is pointed out in Para-4(i) of the review application that except Sadhu Ram, none of the applicants fulfill the requisite requirements of the circular notice Annexure-C1 to the counter affidavit and do not possess the requisite eligibility qualification of having passed Class VIII. The circular Annexure-C1 required the candidates to have passed Class VIII. In Para-16A, as well as, in Para-20 of the counter affidavit, it was stated that the applicants (except Sadhu Ram) do not possess requisite qualifications. This point had not come for consideration at the time of arguments and therefore, doesnot find place in the judgement. Even so, the point had been raised in the counter affidavit and goes to the root of the applicants eligibility for re-engagement and regularisation as casual labour. We think that this point is fit to be considered by way of review of the judgement in O.A.

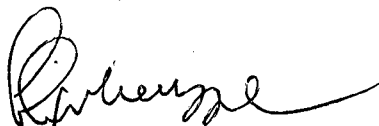
Another point raised in the review application is that Ram Ratan had never worked under IOW, Balamau for any time; but Annexure-1 to the supplementary counter dated 28.9.1989 mentions Ram Ratan at serial No. 74 to have worked as casual labour under I.O.W., Balamau. This point therefore


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cannot be raised.

We admit this review petition for reconsideration of the judgement delivered in O.A. NO. 1140/89 only on the question whether the applicants, Bihari, Sunder Lal, Ram Bilas, Ram Ratan and Ram Autar possess the requisite qualification for re-engagement as casual labour as required in circular Annexure-C1 to the counter affidavit. Issue notice to the 5 applicants and fix on 28.5.1990 for hearing on the review application, as well as, on the merits of the O.A. on the above limited point which may be disposed of finally. In the mean time, the direction of re-engagement of the aforesaid 5 persons contained in the judgement dated 19.2.1990, in O.A. NO. 1140/89 (Sadhu Ram And Others Versus General Manager, N. RLY. shall remain stayed. Inform the above parties.


A.M.


V.C.

Dated: 30.4.1990

sd.