

5. Chief Permanent Way Inspector,
Northern Railway, Balamau,
Distt. Hardoi.

...Respondents.

By Advocate:- Sri. A.K. Chaturvadi.

O R D E R (ORAL)

Hon'ble Mr. Justice B.C. Saksena, V.C.

When the case was called out none responded on behalf of the applicant. We have taken through the pleadings by Sri. A.K. Chaturvadi, learned counsel for respondents. The applicants case in short is that he had worked as casual labour in intermittent period. They filed an O.A. before this Tribunal which is registered as O.A.No.8/1989. Through this O.A. the applicants prayed a direction to the effect that their names be included in Live Casual Labour Register as on had not been engaged. A direction was accordingly given to register the names of the applicants in the Live Casual Labour Register within a period of three months.

2. Through this O.A. the applicants alleges that those names were register in the Live Casual Labour Register thus they were not been engaged. The applicants also seeks a direction to issue to respondents to engage them and regularise them on the post of Gangman/Khallas and to pay him usual wages. In the Counter-Affidavit

it has been indicated that the names of the applicants have been placed in the Live Casual Labour Register and no one lower in serial from the applicants have been engaged. The applicant have also indicated in their R.A. due to decasualisation of casual labours 886 posts were created and there is a direction by Railway Board through his letter dated 20.8.1991. In the C.A. it has been explained that pursuant to the said decasualisation 164 posts of Gangman and 29 posts of Khalasis were allocated to Sitapur Sub. Division for decasualisation and 458 posts of Gangman and 23 posts of Khalasis were allocated to Hardoi Sub. Division for decasualisation and 451 posts of Gangman and 90 posts of Khalasis were allocated to Shahjahanpur Sub. Division for decasualisation. It has been categorically been asserted in the C.A. that no person junior to the applicants has been decasualised nor has any person been decasualised in utter disregard of the Live Casual Labour Register.

3. In the R.A. the names of few persons has been indicated but this had not been indicated that they are lower serial in the Live Casual Labour Register then the applicants such a vague averments in no manner advancing the applicants case.

4. After going through the pleadings, we are satisfied that no one lower in serial then the

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applicants in Live Casual Labour Register have been engaged.

5. The O.A. is accordingly disposed of.
No case for grant of interim relief is made out.
Parties shall bear their own costs.

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MEMBER (A)

Bod

VICE-CHAIRMAN

Dated: - 1937
Lucknow.
a.k.