

(2)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
NEW BOMBAY BENCH, NEW BOMBAY.

Stamp Application No.625/89

6A 648189

Shri Subhash K. Kewal,  
Bhushan Nagar, Plot No. 90,  
Iranna Vasti Wangi Road,  
Solapur.

.. Applicant

V/s.

1. The General Manager,  
Central Railway,  
Bombay V.T.
2. The Divisional Railway Manager,  
Central Railway,  
Solapur. .. Respondents

Coram: Hon'ble Vice-Chairman, Shri P.S. Shah  
Hon'ble Member(A), Shri M.Y. Priolkar

Appearance:

1. Shri S.K. Shelgikar,  
Advocate  
for the applicant
2. Shri Subodh Joshi,  
Advocate  
for the respondents.

ORAL JUDGMENT:-

Dt. 29,9,1989

(Per: Shri P.S. Shah, Vice-Chairman)

Heard Mr. S.K. Shelgikar, advocate for the applicant  
and Mr. Subodh Joshi, advocate for the respondents.

2. Mr. Joshi states that the impugned notice/order  
dated 1.9.1989 issued by respondents through its Assistant  
Goods Carriage Superintendent, Solapur has been withdrawn  
on 12.9.1989, pursuant to which the applicant's employment  
is continued. Prayers (a) and (b), therefore, do not  
survive.

3. The applicant has also prayed for a declaration  
that he has acquired the status of temporary casual labour.  
There is no dispute about the applicant's status as Monthly  
Rated Casual Labour, which is in substance the prayer of the  
applicant. The impugned order of termination (Exhibit-B)

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itself states "that the petitioner's service as 'Monthly Rated Casual Labour' is terminated". In view of the admitted position it is unnecessary to grant the declaration sought. The application is disposed of with no order as to costs.

  
(M.Y. Priolkar)  
Member (A)

  
(P.S. Shah)  
Vice-Chairman.

Judgment dtd. 29/9/89  
Send to parties  
on 13/10/89.

  
M.Y. Priolkar  
13/10/89