

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH MUMBAI

ORIGINAL APPLICATION NO:582/9000

DATE OF DECISION: 23.11.2000

Shri R.N. Poojari

Applicant.

Advocate for

Applicant.

Versus

The Union of India and others

Respondents.

Shri R.R. Shetty

Advocate for

Respondents

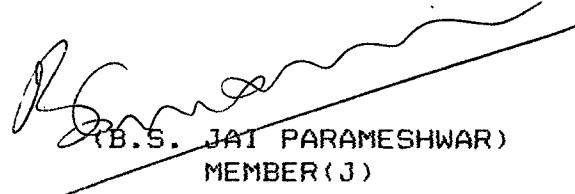
**CORAM**

Hon'ble Shri B.S. Jai Parameshwar, Member(J)

(1) To be referred to the Reporter or not?

(2) Whether it needs to be circulated to other Benches of the Tribunal?

(3) Library.

  
(B.S. JAI PARAMESHWAR)  
MEMBER(J)

NS

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION NO:582/9900

THURSDAY the 23rd day of NOVEMBER 2000

CORAM: Hon'ble Shri B.S. Jai Parameshwar, Member(J)

R.N. Poojari  
Commission Vendor  
under D.R.M.(C)  
Central Railway,  
Mumbai CST.

...Applicant.

V/s

1. The Union of India through  
The General Manager,  
Central Railway, Mumbai CST.
2. The Divisional Railway Manager,  
Central Railway, Mumbai CST. ...Respondents.

By Advocate Shri R.R. Shetty.

ORDER (ORAL)

{Per Shri B.S. Jai Parameshwar, Member(J)}

As per the directions contained in OA 559/95 decided on 5.8.1999, the applicant submitted a representation for regularising his service in the respondents department.

2. The respondents authority considering his representation and also on perusal of the judgement informed the applicant by letter dated 28.6.2000 (Annexure A-4 page 17).

3. The applicant has filed this OA for the following reliefs:

(i) This Hon'ble Tribunal may kindly be pleased to direct the Respondents to regularise the applicant in any of the Group 'D' or Group 'C' posts in the Catering Department of the Mumbai Division and place above his juniors in seniority taking into account his Casual /Substitute service in Group "D" posts rendered by the applicant.

...2...

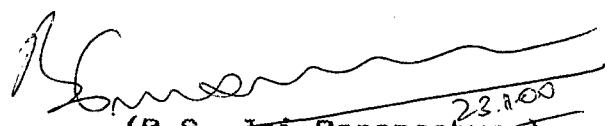
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(ii) This Hon'ble Tribunal may kindly be pleased to direct the Respondents to award consequential benefits due to him considering the length of service rendered in Casual /Substitute categories.

4. The learned counsel for the respondents relied upon the decision of the Bangalore Bench of this Tribunal in the case of E. Mari and others V/s Union of India and others {93 SLJ(2) CAT 488 and submitted that Commission Vendors engaged on contract work cannot approach this Tribunal. Further the learned counsel for the respondents submitted that they stick to the reply given to the applicant in letter dated 28.6.2000 and submitted that no mandatory direction can be given to the respondents for regularisation.

5. The respondents authorities have taken the decision in accordance with the reply dated 28.6.2000 and in that letter (SLN 643) they have specifically stated the position of the applicant for regularisation. I feel that there is no necessity for issuing any direction in the OA.

6. Hence the OA is disposed of. No order as to costs.

  
23.1.00  
(B.S. Jai Parameshwar)  
Member (J)

NS