

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO: 63/2000

DATE OF DECISION: 07/04/2001

Shri Govardhan Kanajee

Applicant

Shri R.D. Deharia

-----Advocate for
Applicant.

Versus

Union of India & 3 Ors.

-----Respondents.

Shri Suresh Kumar

-----Advocate for
Respondents.

Coram:

Hon'ble Smt. Shanta Shastry, Member (A).

1. To be referred to the Reporter or not?
2. Whether it needs to be circulated to other Benches of the Tribunal?
3. Library.

Shanta S

(SHANTA SHASTRY)
MEMBER(A)

abb

**CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO: 63/2000
DATED THE 9th DAY OF APRIL 2001**

CORAM:HON'BLE SMT.SHANTA SHAstry, MEMBER(A)

Shri Govardhan Kanajee,
Ex.Casual Labour of I.O.M.(M),
Kalyan, R/o.F.Cabin, Katemanivali,
Old Vithal Mandir, Kanchan Colony,
Kalyan (E)
Dist. Thane (M.S.)Pin-421 201. ... Applicant

By Advocate Shri R.D.Deharia

V/s.

1. Union of India through
The Secretary, Railway Board,
Ministry of Railways, Rail Bhavan,
New Delhi - 110 001.
2. The General Manager,
Central Railway,
Mumbai CST Pin - 400 001.
3. The Divisional Railway Manager,
Divisional Office, Central Railway,
Mumbai CST Pin 400 001. ... Respondents

By Advocate Shri Suresh Kumar

(ORAL) (ORDER)

Per Smt.Shanta Shastry, Member(A)

The relief sought by the applicant in this OA is for regularisation of his service in Group 'D'. The applicant has submitted that he was engaged as casual labour with effect from 27/5/83 under the Health Inspector, Kalyan and was also issued a casual labour card No.150973 dated 27/5/83. He worked as casual labour for 252 days between 27/5/83 and 3/1/88 with breaks in between. According to him taking into consideration, the number of days of casual service, he was considered for screening for a

regular absorption in class-IV category during the year 1989-90 and he was found suitable and empanelled. However, he has not been regularised so far. According to the applicant his name is included in the casual labour live register and he is therefore entitled for regularisation. The learned counsel for the applicant has also referred to a judgement of this Tribunal in OA No.1100/99 with OA Nos.119/2000, 223/2000 and 224/2000 wherein the Tribunal had disposed of the OAs stating that regularisation in group 'D' will have to be examined in accordance with the instructions on the subject.

2. The applicant's case is similar to the OAs disposed of.
3. The learned counsel for the applicant submits that his case is similar to the OAs already decided by the Tribunal and he is seeking similar direction as in the aforesaid OAs.
4. The learned counsel for the respondents has not denied the facts and states that the application of the applicant in terms of notification No.8B/P/Engg./Screening/CL/99 dated 15/7/99 will be called from IOW, Kalyan and will be put up to Committee for Scrutinising taking into account age factor, educational qualification and number of days service rendered by him in terms of Headquarters letter dated 18/5/99. This submission has been made in the written statement dated 2/4/2001. Since the respondents are already inclined to consider the application of the applicant, the OA ^{is} to be disposed of only with a direction to the respondents to consider the application of the applicant if already received as per rules and law expeditiously within a

period of three months from the date of receipt of copy of this order.

5. In the circumstances, OA is disposed of with above directions. I do not order any costs.

Shanta S-

(SHANTA SHAstry)
MEMBER(A)

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