

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH: :MUMBAI

ORIGINAL APPLICATION NO. 836/2001

THIS, THE 21ST DAY, OF MARCH, 2002

CORAM: HON'BLE SMT. SHANTA SHASTRY.

... MEMBER (A)

1. Smt. Chalvi Arumugam,
Ex-Casual Labour,
Residing at 81/5, 1/G,
Room No.7, Jasai Rly Colony,
Jasai, Tal. Uran, Dist. Raigad.
2. Smt. Mathura Mahadu,
Ex-Casual Labour,
Residing at C/o Datta
Ganapati T/Man, Section Engineer,
panvel 410 206.
3. Shri Ajabrao Baburao,
Ex-Casual Labour,
Residing at Tukaram Koli Chawl,
Belapur Old Police Line,
Belapur village, Belapur.
4. Shri Somasundaram kasi,
Ex Casual labour
Residing at C/o Swami Durai,
Railway Colony,
Jasai, Tal. Uran, Dist. Raigad.
5. Smt. Jaya Singaram,
Ex Casual Labour
Residing at C/o Swami Durai,
Railway Colony,
Jasai, Tal. Uran, Dist Raigad.
6. Smt. Kaliyamal Chellan,
Casual Labour,
Residing at R Sellavambal,
RBI/C/Room No.3,
Jasai Railway Colony,
Jasai, Tal. Uran, Dist. Raigad.
7. Shri Balaguru Rangaswami.
Ex Casual Labour,
Residing at & Post,
Manavalanlallur Colony,
Tal: Vrindhachalam,
Tamil Nadu-603 003.

.. Applicants

By Advocate Shri S.V. Marne.

Versus

1. The Union of India, through,
General manager,
Central Railway,
Headquarters Office,
Mumbai CST, Mumbai.

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2. The Divisional Railway Manager,
Mumbai Division,
Central Railway,
Mumbai CST, Mumbai.
3. The Chief Administrative Officer
(Constructions), Central Railway,
Mumbai CST, Mumbai.
4. The Dputy Chief Engineer,
(Construction), Central Railway,
Mumbai CST, Mumbai-400 001.
4. The Deputy Chief Engineer
(Construction), Central Railway,
Panvel. .. Respondents

By Advocate Shri V.S. Masurkar.

O R D E R (ORAL)

The prayer made in this OA is, to consider the case of the applicants for regularisation of their services as Group-D employees. The respondents have annexed to their reply a Notification dated 03rd October, 2001 at Exhibit R2 page 116. It has been directed in this Notification that in compliance to Hon'ble CAT, Bombay judgment dated 19.4.2001 in OA No.899/99, it has been decided to make an assessment as to the number of eligible casual labour in the Live/Suppllementary Live Register still available for consideration for appointment in Group-D category as and when vacancy arises in the department other than Open Line Civil Engineering Department but including all Construction Organisation. Accordingly notice and proforma have been directed to be placed on the Notice Board along with the list of casual labours working in the respective Organisation and the compliance report is

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to be sent to the DRM (P), CST, Mumbai immediately. Casual Labour also required to submit their particulars in the enclosed proforma. A notice was issued accordingly.

2. Now the learned counsel for the applicants submits that in response, the applicants have submitted their particulars and are waiting screening. In my considered view, since the respondents have initiated the process for regularisation of the casual labours, ends of justice shall be met if they are directed to expedite the screening of the casual labour including the applicants who have applied towards regularisation as per rules. They are directed accordingly. This shall be complied with within a period of six months. OA is disposed of accordingly. No costs.

Shanta Shastri
(SMT. SHANTA SHASTRY)
MEMBER (A)

Gajah

19/1/2004 - 13
CP-114/2003

Applicant by Shri S.V. Manne
Respondents by Shri V.S. Masurkar
Learned Counsel for Applicant
States that ~~the~~ his clients
Services has not been regularized
regularized and ~~it~~ has
been mentioned. "Date of
birth not mentioned"
However, this has not been
Communicated to the
Applicant. On the other hand
application sent by the
applicant alongwith an
Affidavit about his date of
birth has been received by
him without any comment.

The Learned Counsel for
Respondents mentioned that
if a copy of the order is given
to him, he will ensure a reply
from Railways immediately.
List the case for orders on
23/2/2004. Copy of the order
has been given to parties.

adp. (Muzaffar Hussain)
11 (5)

(A. K. Agarwal)
V.C.

CP 63/05

Dt. 27.1.2006

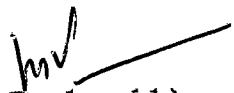
Applicant by Shri S.V. Marne.

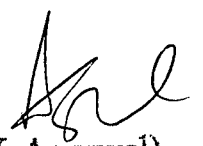
2. This Contempt Petition has been moved by the petitioner alleging non-compliance of Tribunal's order dated 21.3.2002 given while disposing of OA 836/01. The learned counsel for the petitioner submitted that earlier CP 114/03 was disposed of by the Tribunal vide order dated 16.8.2004 holding that there is no wilful disobedience on the part of the respondents when the learned counsel for the respondents submitted in the Court that the respondents had started the process for implementing the Tribunal's direction. The learned counsel for the petitioner stated that till date the applicants have not received any communication from the respondents. The learned counsel further mentioned that notice to DRM, Mumbai Division was sent by the Advocate on 7.1.2005.

3. After hearing the learned counsel for the petitioner and going through the record, we are of the opinion that prima facie case for contempt is made out.

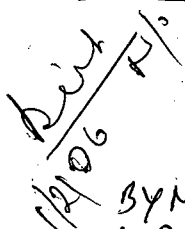
4. Notice be issued to respondent no.2 to show cause as to why contempt proceedings cannot be initiated against him. Let reply be filed within six weeks. Personal appearance as of the present is dispensed with.

5. List this case on 28.3.2006.


(S.D. Deshmukh)
Member(J)


(A.K. Agarwal)
Vice Chairman

By Notification
posted on
21.4.06


12/06
By Notification
posted on 30/6/06