

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
\* \* \* \* \*

Commercial Complex(BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 6/11/87

Application Nos. 489 to 507 & 523 to 526/87(F)

Applicants

Shri Ravindranath Kate K & 22 Ors V/s The GM, Southern Railway  
Madras & 5 Ors

To

<u>Applicants</u>	<u>Respondents</u>
1. Shri Ravindranath Kate K.	17. Smt Chamu
2. Shri Ravindra Naidu	18. Shri Munigangaiah
3. Shri E. Gopinath	19. Shri K.L. Krupa
4. Shri K. Chandran	(Sl Nos. 1 to 19 - ELRs, Reservation-cum-Enquiry Office Southern Railway, Bangalore City)
5. Shri Jamshidkhan	
6. Shri G. Venkatesh	
7. Smt Vijayakumari	20. Shri S.M. Babu Advocate 242, Vth Main, Gandhinagar Bangalore - 560 009
8. Smt Sharada	
9. Smt Umadevi	21. Kum G. Vasanthakumari 1159/8, Milk Centre, Main Road, Mysore South Mysore
10. Smt Sajeeda Begum	
11. Smt Prasannakumari	22. Smt Meherun Bhi 106, Loco Colony VV Mohalla Mysore
12. Smt S. Radha	
13. Smt R. Nirmala	23. Smt Jacintha Jones Chief Reservation Office Bangalore City Railway Station Bangalore
14. Smt Sarvamangala	
15. Smt Sarala	24. Kum. G. Girijamma Upper Street Aunthar Guthamma Temple Bhadravathi
16. Smt Bhagyalakshmi	

25. Shri M. Abdul Rahaman  
Advocate  
No. 306, Subedar Chathram Road  
Bangalore - 560 009
26. The General Manager  
Southern Railway  
Park Town  
Madras - 3
27. The Chief Commercial Superintendent  
Southern Railways  
Madras
28. The Divisional Commercial Superintendent  
Southern Railway  
Bangalore
29. The Divisional Railway Manager  
Southern Railway  
Bangalore
30. The Chairman  
Railway Board  
New Delhi - 110 001
31. Shri Ramesh  
Bangalore City Reservation Office  
Railway Station  
Bangalore
32. Shri M. Sreerangaiah  
Railway Advocate  
3, S.P. Buildings, 10th Cross  
Cubbonpet Main Road  
Bangalore - 560 002

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Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith copy of Order passed by this  
Tribunal in the above said applications on 29-10-87

  
Section Officer  
(Judicial)

Encl : As above

## CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE

DATED THIS THE 29TH DAY OF OCTOBER, 1987

Present: Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman  
 and  
 Hon'ble Shri L.H.A. Rege, Member (A)

APPLICATION NOS. 489 TO 507 & 523 TO 526/87

1. Sri. Ravendranath Kate K. aged 23 years, S/o B. Krishna Rao.	...	Applicant in A. No.489/87
2. Sri. Ravindra Naidu, aged 27 years, S/o J.U. Ramachandra.	...	Applicant in A.No.490/87
3. Sri. E. Gopinath, aged 27 years, S/o Eithiraj.	...	Applicant in A.No.491/87
4. Sri. K. Chandran, aged 28 years, S/o P. Kuppuswamy.	...	Applicant in A.No.492/87
5. Sri. Jamshidkhan, aged 36 years, S/o Abdul Rasid Khan.	...	Applicant in A.No.493/87
6. Sri. G. Venkatesh, aged 36 years, S/o, Narasiah.	...	Applicant in A.No.494/87
7. Vijayakumari, aged 30 years, W/o M.R. Prasad.	...	Applicant in A.No.495/87
8. Mrs. Sharada, aged 26 years, D/o N. Mohan Ram.	...	Applicant in A.No.496/87
9. Mrs. Umadevi, aged 26 years, D/o C. Channappa.	...	Applicant in A.No.497/87
10. Mrs. Sajeeda Begum, aged 27 years, D/o Abdul Rasheed.	...	Applicant in A.No.498/87
11. Mrs. Prasannakumari, aged 27 years, W/o M.R. Unni.	...	Applicant in A.No.499/87
12. Mrs. S. Radha, aged 29 years, W/o N.S. Govindan	...	Applicant in A.No.500/87



13. Mrs. R. Nirmala,  
aged 29 years,  
D/o C. Ramaiah. ... Applicant in  
A.No.501/87.

14. Mrs. Sarvamangala,  
aged 27 years,  
D/o Bagirathi. ... Applicant in  
A.No.502/87

15. Mrs. Sarala,  
aged 27 years,  
W/o Ravi. ... Applicant in  
A.No.503/87

16. Bhagyalakshmi,  
aged 29 years,  
D/o Chikashamanna. ... Applicant in  
A.No.504/87

17. Mrs. Chamu,  
aged 31 years,  
D/o M. Subramanyan. ... Applicant in  
A.No.505/87

18. Muniganyaiah,  
aged 28 years,  
S/o, Hanumaiah. ... Applicant in  
A.No.506/87.

19. K.L. Krupa,  
aged 33 years,  
S/o J.P. Krishnaswamy. ... Applicant in  
A.No.507/87.

( All are working as ELR's in  
Reservation-cum-Enquiry  
office, Southern Railway,  
Bangalore City)

(Shri S.M. Babu, Advocate)

20. Miss. G. Vasanthakumari,  
D/o. S. Govindaswamy,  
aged 29 years,  
No.1159/8, Milk Centre,  
Main Road, Mysore South,  
Mysore. ... Applicant in  
A.No.523/87

21. Mrs. Meherun Bhi,  
W/o Abdul Mazed,  
aged 32 years,  
D.No.106, Loco Colony,  
V.V. Mohalla, Mysore. ... Applicant in  
A.No.524/87

22. Mrs. Jacintha Jones,  
W/o. Y. Jones,  
aged 28 years,  
Chief Reservation Office,  
Bangalore City Railway Station,  
Bangalore. ... Applicant in  
A.No.525/87

23. Miss. G. Girijamma,  
D/o. V. Bheemappa (Late),  
aged 32 years, Upper Street,  
Aunthar, Guthamma Temole,  
Bhadravathi. ... Applicant in  
A.No.526/87

( Shri M. Abdul Rahaman, Advocate)



v.

1. The General Manager,  
Southern Railways,  
Madras.
2. The Chief Commercial Superintendent  
Southern Railways,  
Madras.
3. Divisional Commercial Superintendent,  
Southern Railway,  
Bangalore.
4. Divisional Railway Manager,  
Southern Railway,  
Bangalore.
5. The Chairman,  
Railway Board,  
New Delhi.
6. Mr. Ramesh,  
Bangalore City Reservation  
Office, Railway Station,  
Bangalore.

Common respondent  
in A.No.489 to 507  
and A.No.523 to 526

Respondent No.5 in  
A.No.489 to 507 and  
R.No.1 in A.No.523 to  
526.

Respondent No.6 in  
A.Nos.523 to 526/87.

(Shri M. Sreerangaiah, Advocate)

These applications having come up for hearing to-day,

Vice-Chairman made the following:

O R D E R

As the questions that arise for determination in these cases are common we propose to dispose them of by a common order.

2. The applicants are working as Clerical Assistants on daily wages basis to assist the Booking Clerks in the Reservation and enquiry office at the Bangalore City Railway station during peak seasons. Apprehending that their services would be terminated, the applicants by separate but identical



applications approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 for appropriate reliefs.

3. In their reply, the respondents have resisted the applications.

4. Sriyuths S.K. Venkataranga Iyengar, M. Abdul Rahman, learned counsel for the applicants contend that the cases of the applicants were in all fours to the cases decided by the Principal Bench in OA No.1174A of 1986 decided on 28th August 1987 (MISS NEERA MEHTA & OTHERS v. UNION OF INDIA AND OTHERS) and they were all entitled for regularisation on the same terms and conditions stipulated in that very order.

5. Shri M. Sreerangaiah, learned counsel for the respondents contends that these cases were not similar to Miss. Neera Mehta's case and therefore the ratio in that cannot govern these cases at all.

6. We have carefully examined whether these cases are similar to Miss. Neera Mehta's case decided by the Principal Bench. We find that they are similar in all respects to that case. The only difference <sup>is</sup> in the nomenclature of the posts and that ~~xxxxxxxxxx~~ cannot and should not make any difference in deciding whether they are similar. If they are similar in all respects, then we are bound to follow the decision in Miss. Mehta's case and make similar directions. For the ~~very~~ reasons stated in Miss. Neera Mehta's case, we direct the



Respondents that the applicants who were engaged on or before 17.11.1936 shall be regularised and absorbed against regular posts after they have completed three years of service from the date of their initial engagement subject to their fulfilling all other conditions in regard to qualifications etc., as contained in circulars dated 21.4.1982 and 20.4.1985 of the Railway Board.

7. Applications are disposed of in the above terms.

But in the circumstances of the cases, we direct the parties to bear their own costs.



Sd - - -

Vice-Chairman

29/4/87

Sd - - -

Member (A) by x/sy

"True COPY"

bsv/MRV.

*R. Shetty 6/11/87*  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
\* \* \* \* \*

Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 17 OCT 1989

CONTEMPT

PETITION(CIVIL) NO (S) 42 to 46

IN APPLICATION NOS. 495, 497, 506, 524 & 525/87(F)  
W.P. NO (D)

Applicant (s)

Smt Vijayakumari & 4 Ors

V/s

The General Manager, Southern Railway,  
Madras & 4 Ors

To

1. Smt Vijayakumari

8. The Chief Commercial Superintendent

2. Kum. Uma Devi

Southern Railway  
Headquarters Office  
Park Town

3. Shri Munigangaiah

Madras - 600 003

4. Smt Maherun Bhi

9. The Divisional Commercial

5. Smt Jacintha Jones

Superintendent  
Southern Railway  
Bangalore Division  
Bangalore - 560 023

(Sl Nos. 1 to 5 -

10. The Divisional Railway Manager  
Southern Railway  
Bangalore Division  
Bangalore - 560 023

ELRs in Reservation-cum-Enquiry Office  
Southern Railway  
Bangalore City Railway Station  
Bangalore - 560 023)

6. Shri S.K. Srinivasan  
Advocate  
No.10, 7th Temple Road  
15th Cross, Malleswaram  
Bangalore - 560 003

11. The Chairman  
Railway Board  
Rail Bhawan  
New Delhi - 110 001

7. The General Manager  
Southern Railway  
Head Quarters Office  
Park Town  
Madras - 600 003

12. Shri M. Sreerangaiah  
Railway Advocate  
Hotel Mayura Building (2nd Floor)  
No. 2, Kumbargundi Road  
(Silver-Jubilee Park Road Cross -  
Near Town Hall)  
Bangalore - 560 002

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/87xx/EXXERXMBER  
C.P.(Civil)  
passed by this Tribunal in the above said/application(s) on 6-10-89.

Encl : As stated

*Prithvi*  
for DEPUTY REGISTRAR  
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE.

DATED THIS THE 6TH DAY OF OCTOBER 1989.

Presents Hon'ble Shri Justice K.S.Puttaaswamy .. VICE CHAIRMAN  
Hon'ble Shri L.H.A.Rago .. MEMBER(A)

CONTEMPT PETITION(CIVIL) NO.42 to 46/1989

1. Smt.Vijayakumari,  
2. Ms.Uma Devi,  
3. Mr.Munigangaiah,  
4. Mrs. Meherun Bhi,  
5. Mrs. Jacintha Jones .. Applicants

(All are working as ELRs in  
Reservation cum Enquiry Office,  
Southern Railway, B'llore City  
Railway Station , B'llore 9)

(Shri S.K.Srinivasan .. Advocate)

vs.

1. The General Manager,  
Southern Railway,  
Head Quarters Office,  
Park Town,  
Madras 600 003.  
  
2.The Chief Commercial Supdt.,  
Southern Railway,  
Head Quarters Office,  
Park Town,  
Madras 600 003.  
  
3. The Divisional Commercial Supdt.,  
Bangalore Division,  
Southern Railway,  
Bangalore 9.  
  
4. The Divisional Railway Manager,  
Bangalore Division,  
Southern Railway,  
Bangalore 9.  
  
5. The Chairman,  
Railway Board,  
Rail Bhavan,  
New Delhi 110 001.

.. Respondents.

(Shri M.Sreerangaiah .. Advocate)

This application has come up today before this Tribunal  
for Orders. Hon'ble Vice Chairman made the following:



ORDER

Petitioners by Shri S.K.Srinivasan. Respondents by  
Shri M.Sreerangaiah.

2. In these petitions made under Section 17 of the Administrative Tribunals Act of 1985 and the Contempt of Courts Act of 1971, the petitioners have moved this Tribunal to punish the respondents for not implementing an order made in their favour on 29.10.1987 in Application No.s.495,497,506,524 & 525/1987.

3. In application nos. 495, 497, 506, 524, & 525/1987 and connected cases, the petitioners and 18 others had moved this Tribunal to regularise their service in terms of an order made by the Principal Bench of this Tribunal in O.A.No.1174 A of 1986 decided on 28th August, 1987 (MS.NEERA MEHTA & OTHERS vs. UNION OF INDIA AND OTHERS). On 29.10.1987, we disposed all of them by a common Order in these terms:-

\* For the very reasons stated in Miss Neera Mehta's case, we direct the Respondents that the applicant who were engaged on or before 17.11.1986 shall be regularised and absorbed against regular posts after they have completed three years of service from the date of their initial engagement subject to their fulfilling all other conditions in regard to qualifications, etc., as contained in circulars dated 21.4.1982 and 20.4.1985 of the Railway Board.

Applications are disposed of in the above terms. But in the circumstances of the cases, we direct the parties to bear their own costs.\*

Shri Sreerangaiah informs us that the Special Leave Petition filed by the Railway administration against the decision of the Principal

Bench in Ms. Neera Mehta's case has been dismissed by the Supreme Court and the Railway administration had taken a decision to implement the order in that and these cases with expedition for which purpose he prays for at least another 2 months time.

4. Shri Srinivasan vehemently opposes the grant of any further time to the respondents to implement our order.

5. We are satisfied that the facts and circumstances justify us to grant time at least till 30.11.1989 to implement our orders. We, therefore, grant time to the respondents till 30.11.1989 to implement our orders. But in the meanwhile we drop these Contempt of Court Proceedings reserving liberty to the petitioners to approach this Tribunal if our orders are not implemented on or before 30.11.1989, with no order as to costs.



bk.

Sd —  
VICE CHAIRMAN 6/10/89  
TRUE COPY  
Sd —  
MEMBER(A) / ----/  
R. R. DEPUTY REGISTRAR (JUN)  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE