

Registered

Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 27 JUN 1988

APPLICATION NOS

779 to 789

/ 87(F)

W.P. NO.

Applicant(s)

Shri G. Varadarajan & 10 Ors  
To

1. Shri G. Varadarajan
  2. Shri K.P. Goplan
  3. Shri P.N. Verghese
  4. Shri S. Rajasekharan
  5. Shri P. Annamalai
  6. Shri L. Krishnamurthy
  7. Shri N. Chinnappa
  8. Shri P. Subramani
  9. Shri R. Lucas
  10. Shri C. Fletcher
  11. Shri K. Shanmugam
- (Sl Nos. 1 to 11 -

(Khalasis  
Carriage & Wagon Unit  
Southern Railway  
Bangalore Division  
Bangalore - 560 023)

12. Shri M. Raghavendra Achar  
Advocate  
1074-1075, Banashankari I Stage  
Sreenivasanagar II Phase  
Bangalore - 560 050

Respondent(s)

V/s The Deputy Personal Officer, Southern Railway,  
Bangalore & 12 Ors

13. The Deputy Personnel Officer  
Southern Railway  
Bangalore Division  
Bangalore - 560 023
14. The Divisional Railway Manager  
Southern Railway  
Bangalore Division  
Bangalore - 560 023
15. Shri C. Robert ✓
16. Shri Anwar Khan ✓
17. Shri V.R. Subramani ✓
18. Shri M. Kannan ✓
19. Shri Ranoji Rao ✓
20. Shri N. Krishnaiah ✓
21. Shri J. Ruben ✓
22. ✓ Shri M. Venkatesh
23. Shri D. Govindaswamy
24. ✓ Shri M. Venkatesh

(Sl Nos. 15 to 24 -

C/o Carriage & Wagon Superintendent's  
Office  
Southern Railway  
Bangalore Division  
Bangalore - 560 023)

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/~~INTERIM ORDER~~  
passed by this Tribunal in the above said application(s) on 20-6-88.

25. Shri Sethyanarayana Singh  
Carriage & Wagon Fitter  
Carriage & Wagon Superintendent's  
Office  
Southern Railway, Biappanahalli  
Bangalore
- Encl : As above

DEPUTY REGISTRAR  
(JUDICIAL)

(Sd)/K. SHANMUGAM  
28.6.1988

26. Shri M. Sreerangaiah  
Railway Advocate  
3, S.P. Building, 10th Cross  
Cubbonpet Main Road, Bangalore - 560 002

Received copy of all the  
documents

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
BANGALORE BENCH: BANGALORE

Dated the <sup>20th</sup>~~22nd~~ day of June, 1988.

Present

THE HON'BLE MR. JUSTICE K.S.PUTTASWAMY VICE CHAIRMAN  
THE HON'BLE MR. L.H.A. REGO .. MEMBER(A)

APPLICATIONS NOS. 779 TO 789 OF 1987(F)

- |   |                                 |
|---|---------------------------------|
| 1. G.Varadarajan S/o Sri G.N.<br>Gopalachar, 30 years.            | Applicant in<br>Appln.No.779/87 |
| 2. K.P.Gopalan S/o Raman Kutti,<br>32 years.                      | " " 780/87                      |
| 3. P.N.Vergees S/o P.N.Nina,<br>34 years.                         | " " 781/87                      |
| 4. S.Rajasekharan S/o P.S.<br>Srinivasan, aged about<br>31 years. | " " 782/87                      |
| 5. P.Annamalai S/o Parushurama-<br>Pillai, age 38 years           | " " 783/87                      |
| 6. L.Krishnamurthy S/o Lingaiah<br>age 31 years.                  | " " 784/87                      |
| 7. N.Chinnappa S/o Narasarajappa,<br>age 33 years.                | " " 785/87                      |
| 8. P.Subramani S/o Ponnuswamy-<br>Naidu, age 32 years.            | " " 786/87                      |
| 9. R.Lucas S/o P.Rajaswamy<br>age 35 years.                       | " " 787/87                      |
| 10. C.Fletcher S/o V.Fletcher<br>age 35 years.                    | " " 788/87                      |



11. K. Shanmugam S/o N. Kothandapani  
Naidu, age 36 years.

Applicant in  
Appln.No.789/87.

(All are working as Kalasi's in Carriage  
and Wagon Unit, Southern Railway, Bangalore)  
(Applicants by Shri M.R.Achar, Advocate)

-vs.-

1. Deputy Personal Officer,  
Southern Railways, Bangalore  
Division, Bangalore.

2. Divisional Railway Manager,  
Southern Railways, Bangalore Dn.,  
Bangalore.

3. C.Robert

4. Anwar Khan

5. V.R.Subramani

6. M.Kannan

7. Ranoji Rao

8. Sathyanarayana Singh

9. D.Govindaswamy

10.M.Venkatesh

11.M.Venkatesh

12.J.Ruben

13.N.Krishnaiah

All are working  
in Carriage Wagon  
Superintendent's  
Office, Southern  
Railway, Bangalore  
Division,

Bangalore City/  
Yeshwanthpur/  
Yelahanka.

.... Respondents.

(Shri M.Sreerangaiah, Advocate for Respondents 1 and 2)

These applications coming on for hearing,  
Hon'ble Shri L.H.A.Rego, Member(A), made the follow-  
ing:

O r d e r

The main prayer in these eleven applications,  
is to direct the respondents (R) 1 and 2 to consider  
the case of the applicants for promotion to the posts

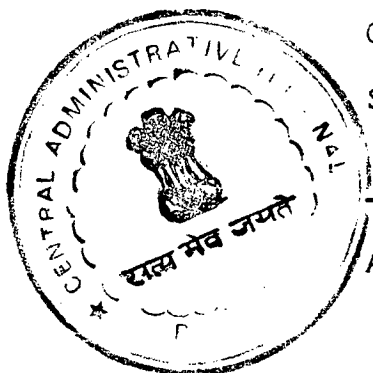
of

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of Fitters (Skilled), as granted to their juniors, from among R3 to R-13 and to issue such other directions as deemed appropriate in the circumstances of the case. As these applications are all alike, on law and facts, we propose to dispose them of, by a common order.

2. The background to these applications is, concisely as follows: The applicants were appointed as Substitutes/Casual Labourers (Khalasis), in the Carriage and Wagon Unit, in Mysore Division, of the Southern Railway, as below:



Applicant No. (1)	Name of the Applicant. (2)	Date of appoint- ment. (3)
1.	S.Varadarajan ..	16-5-1974
2.	K.P.Gopalan ..	15-5-1974
3.	P.N.Verghese ..	13-5-1974
4.	S.Rajashekar ..	12-5-1974
5.	P.Annamalai ..	12-5-1974
6.	L.Krishnamurthy ..	13-5-1974
7.	N.Chinnappa ...	12-5-1974
8.	P.Subramani ..	3-8-1974
9.	R.Lucas ..	13-5-1974
10.	C.Fletcher ..	12-5-1974
11.	K.Shanmugam ..	13-5-1974

3. As against the above, R-3 to R-13 were appointed in the same capacity as under, on grounds

NA

of "compassion" and/or "loyalty":

Respon- dent No.	Name of the respondent.	Date of appoin- tment.	Grounds of appointment.
1.	C.Robert ..	6-3-1977	Compassion
2.	Anwar Khan ..	20-10-1976	-do-
3.	V.R.Subramani ..	31-1-1975	Loyalty
4.	M.Kannan ..	9-8-1977	-do-
5.	Ranoji Rao ..	31-10-1974	-do-
6.	Sathyanarayana Singh	14-11-1974	-do-
7.	D.Govindaswamy ..	19-5-1974	Compassion
8.	M.Venkatesh ..	1-10-1974	-do-
9.	J.Rubin ..	26-9-1974	Loyalty
10.	M.Venkatesh ..	13-5-1974	Compassion
11.	N.Krishnaiah ..	5-9-1974	Loyalty

4. During May, 1974, there was the Central Government employees, inclusive of the railway employees, were on strike throughout the country. The applicants are said to have been appointed as above, during the period of this strike.

5. Consequent to administrative reorganisation of the Southern Railway, the applicants are said to have opted for the newly carved out, Bangalore Railway Division. The applicants state, that the Provisional Seniority List of Khalasis, of the Carriage and Wagon Unit of the Bangalore Division in the Southern Railway, came to be published for the first time on 29-5-1984, which they

have

have referred to as Annexure-B, and that the Seniority List of Fitters (Skilled), in the same Unit, came to be published on 20-4-1987, which they have referred to as Annexure-A. They aver, that R3 to R-13, are all junior to them.

6. They refer to the judgment of a Bench of this Tribunal, in Application No.518 of 1986(F) /S.YATES -vs.- THE UNION OF INDIA & ORS., delivered on 6-3-1987, in favour of the applicant therein. They stated that the present applications are alike on all fours, to the YATE's case referred to above.

7. The applicants further state, that they came to know for the first time, that their seniority was affected when the Seniority List of Fitters (Skilled), in the Carriage and Wagon Unit, came to be published on 20-4-1987 (Annexure-A), wherein, R3 to R-13 were shown to have been promoted as Fitters (Skilled), [which was the post of promotion next to that of Khalasis], wherein, none of the applicants were included. Some of them therefore represented the matter to the concerned authorities (Annexures-D and E), in August 1987, but to no avail. The applicants state, that they were given to understand, that the judgment of this Tribunal in YATE's case, could not be applied universally and was confined only to the applicant therein, namely, Shri Yates. Aggrieved, the applicants have approached this Tribunal for redress.

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8. Shri



8. Shri M.R.Achar, learned Counsel for the applicants, firmly relying on the judgment of a Bench of this Tribunal in YATE's case, referred to above, contended that YATE's case was identical to the one before us and therefore submitted, it be decided likewise on the principle, that in like cases the judgment is the same.

9. While R-1 and R-2 have filed their reply resisting the applications, the private respondents have neither done so, nor were they present or represented by Counsel, at the time of the hearing of these applications.

10. Shri M.Sreerangaiah, learned Counsel for R-1 and R-2, raised at the outset, the plea of limitation on the grounds, that the cause of action for the applicants, had arisen as long back as in 1980, when R3 to R-13 were promoted as Fitters, But the applicants did not bestir themselves, till as late as on 8-9-1987, through their present application i.e., after an inordinate lapse of nearly seven years. Shri Achar sought to repel this plea, on the premise, that the Seniority List of Fitters, showing the names of R3 to R-13 therein, to the exclusion of the applicants, came to be published by R-1, as late as on 24-3-1987 and that the benefit of the judgment of this Tribunal in YATE's case referred to above, [which was similar] ~~and~~ favourable to the applicants, in the present case,

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was known to them, only on 6-3-1987 i.e., the date on which the judgment was rendered. Besides he contended, that the representations addressed by some of the applicants to R-1, in the matter, in August 1987 (Annexures 'D' and 'E') met with no response. In fact, he stated, that in their reply to the applications (vide para-7) R-1 and R-2 strange enough averred, that they were not aware, as to the remedies the applicants had exhausted. Viewed in the above background, we are satisfied, that these applications are not hit by the bar of limitation, as contended by Shri Sreerangaiah and therefore, we negative his preliminary objection in this behalf.



11. Shri Achar drew our pointed attention to the fact, that the applicants were all appointed as Substitute Khalasis, during the month of May 1974, which he said was significant, as this period coincided with the All-India 'Strike of Railway workmen, when the situation throughout the country was grim and tense and the employees who had then bravely volunteered to serve the railways despite the situation, with unflinching devotion and loyalty, had done so, with no little peril to their lives. What greater proof of their loyalty was needed, he <sup>also</sup> ~~claimed~~, if "loyalty" was cited by R-1 and R-2 as one of the special criteria for recruitment and advancement in career, out of turn. The applicants, he said, belonged to this category of "loyal workers", who deserved to be suitably rewarded for their valour, sense of duty

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and loyalty, in trying circumstances aforementioned. Instead, he alleged, the applicants were ironically discriminated against, by R-1 and R-2 and were not treated with justice and fairness they deserved.

12. Shri Sreerangaiah, while not disputing that the present case was analogous to that of YATE's case referred to above, stated, that he had now produced certain additional documents namely, Annexures R-1 to R-V (which could not be presented earlier, when YATE's case was heard) to substantiate, that the applicants were not similarly circumstanced as R-3 to R-13. He contended with reference to Annexure-R1, that the appointments made on the ground of "loyalty", against regular vacancies in permanent posts in Groups 'C' and 'D', were treated as direct recruitment, on regular basis; that Substitute Khalasis or casual labourers, were not entitled to automatic absorption, as was evident from Rules 2318 and 2511(b) of the Indian Railway Establishment Manual (extracted in para 3 of the reply of R-1 and R-2); that Substitute Khalasis or casual labourers, could claim seniority, only after they were selected by the competent Committee, for empanelment and eventual absorption in regular posts, according to the provisions of Chapter-I Section 1B, Sub-section IV, para (xiii) of the Indian Railway Establishment Manual, read with Rules 2318 and 2511 therein; but this did not confer, overriding advantage on the Substitute Khalasis or casual labourers, over those appointed against regular vacancies (such as those appointed



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on grounds of "compassion" and <sup>or</sup> "loyalty", who are treated as recruited direct, on regular basis); that a Substitute Khalasi or casual labourer, who has not secured lien, cannot be compared as regards his seniority, with an employee, who acquires lien by virtue of his appointment to a regular post and where seniority is reckoned from the date of his initial appointment; and that the applicants were not appointed either on grounds of "loyalty" or "compassion", as in the case of R-3 to R-13 and were also not appointed to regular posts.

13. Shri Sreerangaiah indicated, that the applicants were now working as Khalasi Helpers, in the pay scale of Rs.800-1150, in the Carriage and Wagon Unit of the Southern Railway and would be eligible for promotion as Carriage and Wagon Fitters, in due course, with due regard to their seniority-cum-suitability, after acquitting themselves in the prescribed Trade Test, as and when vacancies arise.

14. We have given due thought to the rival contentions and examined carefully the relevant record placed before us. Comparing the present applications with YATE's case [Application No.518 of 1986(F)], we are convinced, that they are alike on fact and law and actually we notice, that R-3 to R-13 are common to both these cases. In the judgment in YATE's case referred to above (to which one of us, namely, Hon'ble Shri L.H.A. Rego was a party), it was clearly stated (vide para 19 thereof) that the 11 private respondents therein, were



*nd*

appointed initially to identical posts of Substitute Khalasis, as in the case of the applicant therein (though on grounds of "compassion" and/or "loyalty") but were later appointed regularly as Khalasis (emphasis supplied), out of turn, regardless of their length of service. In YATE's case, the appointment orders of Shri M. Venkatesh (R 11 in the present case) and Sri D. Govindaswamy (R-9 in the present case) initially as Substitute Khalasis, were produced by the applicant as Exhibits, which were not challenged by the respondents therein.



15. In the present case, R-1 and R-2, have not produced the orders of initial appointment of R-3 to R-13 as regular Khalasis. In the absence of these orders, it would be logical to infer, that if R-9 and R-11 were initially appointed as Substitute Khalasis <sup>as</sup> and not as regular Khalasis, as aforementioned, R3 to R-8, R10 and R-12 and R-13 too, were appointed likewise, in identical posts, as the applicants. If that be the case, the present applications being alike on fact and law with YATE's case, the ratio of the judgment in the latter, would apply mutatis - mutandis to the applications before us and binding on the respondents on the principle, de similibus idem est iudicium, particularly when the respondents in YATE's case, did not either apply for review of

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that judgment or go in appeal to the Supreme Court within the prescribed period. The additional documents viz., Annexures R-I to R-V produced by R-1 and R2 to substantiate their case, are of little avail to them, as they do not in any manner vary the facts and circumstances, based on which, the judgment was rendered in YATE's case.

16. In the result, we make the following order:

ORDER

1. We declare that these applications are governed mutatis mutandis, by the ratio of the decision in YATE's case.
2. Consequently, we direct R-1 and R-2 to notionally promote the applicants as Fitters, from the dates their immediate juniors (with reference to their length of service as Substitute Khalasis) from among R3 to R-13, ~~who~~ were promoted to these posts and to determine their seniority and pay accordingly, taking into account the increments that would have accrued to them during the intervening period.
3. The applicants, however, will not be entitled to any arrears on this account, not having actually shouldered responsibility in the posts of Fitters.

4. This





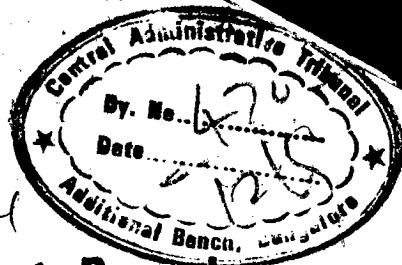
4. This order, be complied with, within a period of two months, from the date of its receipt.
5. The applications are disposed of in the above terms, but with no order as to costs.

Sd/-  
(K.S. PUTTASWAMY)  
VICE CHAIRMAN. 22/6/1988

Sd/-  
(L.H.A. REGO)  
MEMBER(A).

TRUE COPY

DEPUTY REGISTRAR (JDL)  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE



In the Central Administrative Tribunal

In the Court of at Bangalore

No. of 198

Plaintiff / Petitioner

Appellant/Decree-Holder

Vs.

Defendant/Respondent

Judgement Debtor

## INDEX

Sl. No.	Description	Pages	C. F. Paid
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1.	JA for extension of time	1-2	
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Place :

Bangalore

Dated :

12.9.88

M. Sree Krishna

Advocates for Respondents 1 and 2

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, BANGALORE BENCH

I.A. in Application No.779 to 789/87(F)

**Applicants:** Varadarajan and others

**Vs**

**Respondents:** Divisional Personnel Officer  
and others.

I.A. for extension of time.

**\* The Respondents<sup>1 and 2</sup> beg to state as follows:-**

1) In the above applications the Hon'ble Tribunal has ordered to notionally promote the Applicants as Fitters from the dates their immediate juniors (with reference to their length of service as Substitute Khalasis) from among R-3 to R-13 were promoted to these posts and to determine their seniority and pay accordingly, taking into account the increments that would have accrued to them during the intervening period without any arrears on this account declaring that these applications are governed mutatis mutandis by the ratio of the decision in Yate's case.

2) The Respondents<sup>1 and 2</sup> have endeavoured to implement the orders of the Hon'ble Tribunal in toto within two months from the date of receipt of the judgment order i.e., from 29-6-1988.


3) For implementing the order of the Hon'ble Tribunal the entire seniority list of the categories of Khalasis, Khalasi Helpers, Fitter of Mechanical Department are to be reviewed from the dates of appointment as Substitute Khalasis. As this process requires procurement of old records from Mysore Division where


...2...

these employees were working previously before formation of Bangalore Division, the Respondents submit that the orders of the Hon'ble Tribunal could not be implemented within 2 months time allowed i.e., by 28.8.1988.

Kh Wherefore, the Respondents <sup>1 and 2</sup> pray for extension of time to implement the order dated 22-6-1988 of the Hon'ble Tribunal in O.A.No. 779 to 789/87 by three months from 29-8-1988, in the ends of justice.

M. V. R. N. S.  
Advocate for  
Respondents. 1 and 2


  
For and on behalf of the  
Respondents. 1 and 2


  
Divisional Personnel Officer  
Southern Railway,  
Bangalore Division, Bangalore.

VERIFICATION.

I, V. Pitchairaju, do hereby declare that what is stated above is true to the best of my knowledge, information and belief.

Place: Bangalore  
Date: 9-9-1988

  
Divisional Personnel Officer,  
Southern Railway,  
Bangalore Division, B'lore.

  
Divisional Personnel Officer  
Southern Rly., Bangalore.



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

Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 29 SEP 1988

IA I IM APPLICATION NO.

779 to 789

/ 87(F)

W.P. NO.

Applicant(s)

Shri G. Varadarajan & 10 Ors  
To

Respondent(s)

V/s The Deputy Personnel Officer, Southern Railway,  
Bangalore & 12 Ors

1. Shri G. Varadarajan
2. Shri K.P. Gopalan
3. Shri P.N. Varghese
4. Shri S. Rajasekharan
5. Shri P. Annamalai
6. Shri L. Krishnamurthy
7. Shri N. Chinnappa
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12. Shri M. Raghavendra Achar  
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1074-1075, Banashankari I Stage  
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13. The Deputy Personnel Officer  
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Bangalore Division  
Bangalore - 560 023
14. The Divisional Railway Manager  
Southern Railway  
Bangalore Division  
Bangalore - 560 023
15. Shri M. Sreerangaiah  
Railway Advocate  
3, S.P. Building, 10th Cross  
Cubbenpet  
Bangalore - 560 002

(Sl Nos. 1 to 11 -

Khalasis  
Carriage & Wagon Unit  
Southern Railway  
Bangalore Division  
Bangalore - 560 023)

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/ ~~INTERIM ORDER~~  
passed by this Tribunal in the above said application(s) on 16-9-88.

Encl : As above

DEPUTY REGISTRAR  
(JUDICIAL)

**IN THE CENTRAL ADMINISTRATIVE  
TRIBUNAL ADDITIONAL BENCH,  
BANGALORE**


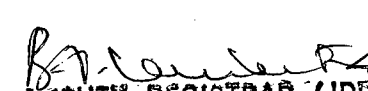
779 to 789/87(F)

G. Varadarajan & 10 Ors

V/s  
Order Sheet (contd)

The Deputy Personnel Officer,  
Southern Rly, Bangalore & 12 Ors  
M. Sreerangaiah

M. Raghavendra Achar

Date	Office Notes	Orders of Tribunal
16.9.1988		<p><u>KSPVC/LHARM</u></p> <p><u>Orders on IA No.1 -Application for extension of time -</u></p> <p>In this IA the R-1 and 2 have sought for extension of time by another three months for implementing the orders made by us on 20.6.1988.</p> <p>We are of the view that the facts and circumstances stated by R-1 and 2 justify a reasonable extension. We, therefore, allow IA No.1 and extend time till 31.10.1988 for implementing the orders made on 20.6.1988.</p> <p>IA No.1 is disposed of in the above terms. But in the circumstances of the case we direct the parties to bear their own costs.</p>
		<p>Sd/- V.C.</p> <p>Sd/- M(A)</p> <p align="center"><b>TRUE COPY</b></p> <p align="right">   <b>DEPUTY REGISTRAR (JDE)</b>  <b>CENTRAL ADMINISTRATIVE</b>  <b>BANGALORE</b> </p>

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE BENCH

REVIEW APPLICATIONS NUMBERS 67 AND 68 OF 1993

DATED THIS THE 24TH DAY OF NOVEMBER, 1993

Mr. Justice P.K. Shyamsundar, .. Vice-Chairman.

And

Mr. V. Ramakrishnan, .. Member(A).

1. T. Gangadharan,  
S/o Thiruvengadam,  
working at Carriage & Wagon  
Superintendent, Office of Carriage  
& Wagon Superintendent (Metergauge),  
Southern Railway, Bangalore City.

.. Applicant in  
R.A.No.67/93.

2. V. Radnakrishnan,  
S/o Veeraraghavan,  
working at Carriage & Wagon  
Superintendent, Office of Carriage  
& Wagon Superintendent (Meter Gauge)  
Southern Railway, Bangalore City.

.. Applicant in  
R.A.No.68/93.

(By Advocate Shri C. Krishna)

v

1. Divisional Railway Manager (Personnel),  
Southern Railway, Bangalore Dn.,  
Bangalore-560 022.

- 1(a) General Manager,  
Southern Railway, Madras.

2. G. Varadarajan,
3. K.P. Gopalan,
4. P.N. Vergneese,
5. S. Rajasekharan,
6. P. Annamalai,
7. I. Krishnamurthy,
8. M. Chinnappa,
9. P. Subramaniyan,
10. R. Lucas,
11. C. Fletcher,
12. K. Shanmugam,

Sl.No.2 to 12 are working  
as C & W Helper, Southern Railway,  
Bangalore.

.. Common respondents.

(By Standing Counsel Shri N.S. Prasad for R1 & R1(a))

ORDER

O R D E R

We have heard counsel on both sides on these review applications which arise from a judgment of this Tribunal in Original Applications Nos. 779 to 789 of 1987 disposed off on 20-6-1988.

2. It is common ground that from the aforesaid judgment, the applicants in the aforesaid applications preferred appeals in S.L.P (Civil) No. 6423 to 28 of 1992 to the Supreme Court and therein the Supreme Court issued notices and the appeals are now pending. The appeals, we are given to understand are contested by the department itself who is a party respondent therein. The department is said to be actually espousing the case of the applicants herein and projecting it before the Supreme Court in defence of the judgment of this Tribunal now pending in appeal. Under the circumstances it is unnecessary for us to deal with and dispose off these applications on their merits since the entire thing is now before the Supreme Court and rights of parties will <sup>eventually</sup> be regulated in accordance with the decision of the Supreme Court in the civil appeals referred to supra. It would further be desirable for these applicants to implead themselves as parties before the Supreme Court. But, even otherwise since they are virtually represented before the Supreme Court by the department in the civil appeals, there would be little difficulty in regulating their rights in the light of the Supreme Court's judgment. With these observations these applications stand disposed off finally.

Sd/-

MEMBER(A)

Sd/-

VICE-CHAIRMAN.