

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. Rego, 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. Munigangaiah,
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 Mazeed,
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. Bheemapoa (Late),
aged 32 years, Upper Street,
Aunthar, Guthamma Temple,
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 to507
and A.No.523to526

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 ^{is} in the nomenclature of the posts and that ~~xxxxxxxx~~ 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 17.11.1986 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.

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.

Ms. Prakash
Vice-Chairman
29/10/83

[Signature]
Member (A) *29.10.83*

bsv/Mrv.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH BANGALORE

DATED THE 17th MARCH, 1988.

Present : Hon'ble Justice Sri K.S. Puttaswamy - Vice Chairman
Hon'ble Sri L.H.A. Rego - Member (A)

APPLICATION No. 487/1987

B.N. Kumaraswamy
Gardner,
Command Hospital, AF
Bangalore
residing at
C/o Rajan Stores,
Vibhoothipuram
Marathalli Post
Bangalore 560 037

- Applicant

(Sri M.S. Ananda Ramu, Advocate)

v

1. The Union of India represented by the
Secretary to the Government
Ministry of Law & Justice
New Delhi
 2. The Chief of Air Force
'Vayu Bhawan, New Delhi 1100001
 3. The Air Vice Marshal
Commandant
Command Hospital, A.F.
Bangalore 560 007
 4. The Air Officer Commanding in-~~in~~ Chief
HQ Trg. Command, AF
Hebbal, Bangalore 560 007
- Respondents
- (Sri M.S. Padmarajaiah, S.C.G.S.C.)

This application came up before this Tribunal
and Hon'ble Justice Sri K.S. Puttaswamy, Vice Chairman
to-day made the following

O R D E R

In this application made u/s 19 of the
Administrative Tribunals Act, 1985 (the Act) the applicant
has challenged Order No. TC/10046/3/47/PC dated 14.11.1986
(Annexure K) of the Air Vice Marshal SOA, HQ, Training

....2

Command, IAF and Appellate Authority (AA) and Order No. CHAFB/1807/325/PC dated 12.2.1986 (Annexure H) of the Air Vice Marshal, Commandant, Commandant Hospital AF and Disciplinary Authority (DA).

2. At all material times the applicant was working as a Gardner, a civilian post, in the Air Force Command Hospital, Bangalore.

3. In a disciplinary proceedings instituted against him under the CC (CCA) Rules, 1975 (Rules)

the DA made an order on 12.2.1986 (Annexure H) imposing the penalty of dismissal from service on the applicant.

Aggrieved by this order, the applicant filed an appeal before the AA who by his order dated 14.11.1986 had dismissed the same. Hence this application.

4. The Respondents have filed their reply and have produced their records.

5. Sri M.S. Ananda Ramu, learned counsel for the applicant contends that the order made by the AA which had not genuinely examined the material contentions urged by his client on question of fact and had not recorded its finding was not a 'speaking order'. In support of his contention, Sri Ananda Ramu strongly relies on the ruling of the Supreme Court in RAMCHANDER V. UNION OF INDIA A.I.R. 1986 S.C. 1173.

6. Sri M.S. Padmarajaiah, learned senior standing counsel, appearing for the Respondents, sought to support the order of the AA.

7. In his order, the AA had not examined any of the material contentions urged by the applicant in support of his appeal either on questions of fact or law and had not recorded its findings on any of them. In making his

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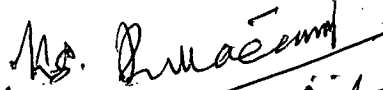
7. In his order, the AA had not examined any of the material contentions urged by the applicant in support of his appeal either on questions of fact or law and had not recorded its findings on any of them. In making his

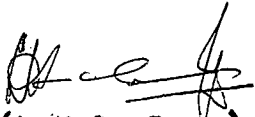
order the AA had not also considered the requirements of Rule 27 of the Rules. The only merit of the order of the AA is its extreme brevity and adopting a special form of its own. Except for this the order of the AA suffers from every one of the infirmities noticed by the Supreme Court in Ramachander's case and is not a speaking order. In this view ~~the~~ the order of the AA has necessarily to be set aside without examining all other questions urged by both sides and a direction issued to the AA to restore that appeal to its original file and redetermine the same in accordance with law. In this view we have not examined the order made by the DA which has necessarily to be examined by the AA in the first instance.

8. As ruled by the Supreme Court in Ramachander's case if the applicant claims for an opportunity of personal hearing the AA is bound to afford him such an opportunity and then only decide the appeal which we have no doubt it will do so.

9. In the light of our above discussion we allow this application in part, quash the order of AA (Annexure K) and direct it to restore the appeal of the applicant to its original file and dispose of the same in accordance with law and the observations made in Ramchander's case and by us with all such expedition as is possible in the circumstances of the case and in any event within a period of four months from the date of receipt of our order by it.

10. Application is disposed of in the above terms. But in the circumstances of the case we direct the parties to bear their own costs.


(K.S. Puttaswamy)
Vice Chairman 17/3/88


(L.H.A. Rego)
Member (A)

17.3.988

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 17 OCT 1989

CONTEMPT

PETITION (CIVIL) NO (S)

42 to 46

/ 89

IN APPLICATION NOS.
W.P. NO (D)

495, 497, 506, 524 & 525/87(F)

Applicant (s)

Respondents

Smt Vijayakumari & 4 Ors

V/s

The General Manager, Southern Railway,
Madras & 4 Ors

To

1. Smt Vijayakumari

2. Kum. Uma Devi

3. Shri Munigangiah

4. Smt Maherun Bhi

5. Smt Jacinthe Jones

(Sl Nos. 1 to 5 -

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

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

8. The Chief Commercial Superintendent
Southern Railway
Headquarters Office
Park Town
Madras - 600 003

9. The Divisional Commercial
Superintendent
Southern Railway
Bangalore Division
Bangalore - 560 023

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

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

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/~~XXXX~~/~~XXXXXX~~ ORDER
C.P. (Civil)
passed by this Tribunal in the above said/application(s) on 6-10-89.

Encl : As stated


DEPUTY REGISTRAR
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE.

DATED THIS THE 6TH DAY OF OCTOBER. 1989.

Present: Hon'ble Shri Justice K.S.Puttaswamy .. VICE CHAIRMAN
Hon'ble Shri L.H.A.Rego .. 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'lore City
Railway Station, B'lore 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:



O R D E R

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

2. In these petitions made under Section 17 of the Administrative Tribunal 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 Nos. 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.



Sd —
VICE CHAIRMAN

Sd —
MEMBER (A)

TRUE COPY

bk.

[Signature]
DEPUTY REGISTRAR (JL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
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the DA made an order on 12.2.1986 (Annexure H) imposing the penalty of dismissal from service on the applicant.

Aggrieved by this order, the applicant filed an appeal before the AA who by his order dated 14.11.1986 had dismissed the same. Hence this application.

4. The Respondents have filed their reply and have produced their records.

5. Sri M.S. Ananda Ramu, learned counsel for the applicant contends that the order made by the AA which had not genuinely examined the material contentions urged by his client on question of fact and had not recorded its finding was not a 'speaking order'. In support of his contention, Sri Ananda Ramu strongly relies on the ruling of the Supreme Court in RAMCHANDER V. UNION OF INDIA A.I.R. 1986 S.C. 1173.

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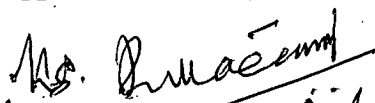
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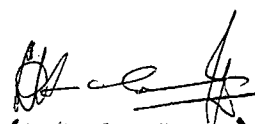
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10. Application is disposed of in the above terms. But in the circumstances of the case we direct the parties to bear their own costs.


(K.S. Puttaswamy)
Vice Chairman 17/3/88


(L.H.A. Rego)
Member (A) 17.3.88

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 17 OCT 1989

CONTEMPT

PETITION (CIVIL) NO (S)

42 to 46

/ 89

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

Applicant (s)

Respondents

Smt Vijayakumari & 4 Ors

V/s

The General Manager, Southern Railway,
Madras & 4 Ors

To

1. Smt Vijayakumari

8. The Chief Commercial Superintendent
Southern Railway
Headquarters Office
Park Town
Madras - 600 003

2. Kum. Uma Devi

3. Shri Munigangiah

4. Smt Maherun Bhi

9. The Divisional Commercial
Superintendent
Southern Railway
Bangalore Division
Bangalore - 560 023

5. Smt Jacinthe Jones

(Sl Nos. 1 to 5 -

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

10. The Divisional Railway Manager
Southern Railway
Bangalore Division
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 Bhavan
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/~~XXXX~~/~~XXXXXX~~ ORDER
C.P. (Civil)
passed by this Tribunal in the above said application(s) on 6-10-89.

Encl : As stated


DEPUTY REGISTRAR
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE.

DATED THIS THE 6TH DAY OF OCTOBER. 1989.

Present: Hon'ble Shri Justice K.S.Puttaswamy .. VICE CHAIRMAN
Hon'ble Shri L.H.A.Rego .. 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'lore City
Railway Station , B'lore 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 Tribunal 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 Nos. 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.



Sd —
VICE CHAIRMAN

Sd —
MEMBER (A)

TRUE COPY

bk.

[Signature]
DEPUTY REGISTRAR (JL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 19 JUL 1990

CONTEMPT
PETITION (CIVIL) NO (X) 80 /89
IN APPLICATION NO. 502/87(F)
W.P. NO (S) _____

Applicant (x)

Respondent (s)

Ms V.N. Sarvamangala

V/s

The General Manager, Southern Railway,
Madras & 4 Ors

To

1. Ms V.N. Sarvamangala
C/o Shri I.A. Shariff
Advocate
35 (Above Hotel Swagath)
1st Main, Gandhinagar
Bangalore - 560 009
2. Shri I.A. Shariff
Advocate
35 (Above Hotel Swagath)
1st Main, Gandhinagar
Bangalore - 560 009
3. The General Manager
Southern Railway
Headquarters Office
Park Town
Madras - 600 003
4. The Chief Commercial Superintendent
Southern Railway
Headquarters Office
Park Town
Madras - 600 003
5. The Divisional Commercial Superintendent
Southern Railway
Bangalore Division
Bangalore - 560 023
6. The Divisional Railway Manager
Southern Railway
Bangalore Division
Bangalore - 560 023
7. The Chairman
Railway Board
Rail Bhavan
New Delhi - 110 001
8. 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/~~XXX~~/INTERIM ORDER
C.P. (Civil)
passed by this Tribunal in the above said Application (x) on 11-7-90.

Encl : As above

R. A. Venkatesh
DEPUTY REGISTRAR
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS THE ELEVENTH DAY OF JULY 1990

Present : Hon'ble Sri P.Srinivasan

Member (A)

Hon'ble Sri A.P.Bhattacharjee

Member (J)

CCA No.80 of 1989. in

Application No.502 of 1987.

Ms. V.N.Sarvamangala,
ELR, Reservation Cum Enquiry Office,
Southern Railway, Bangalore
City Railway Station,
Bangalore - 560 009.

Complainant/
applicant.

(Sri I.A.Shariff ... Advocate)

vs.

1. Sri. N.S.Venkatesan
General Manager,
Southern Railway,
Head Quarters Office,
Park Town, MADRAS 600 003.
2. Sri. B.R.Nair,
Chief Commercial Superintendent,
~~Bangalore Division~~,
Southern Railway,
Head Quarters Office,
Park Town, Madras 600 003.
3. Sri B.Sriraman,
Divisional Commercial Suptd.
Bangalore Divn., SR,
Bangalore - 560 009.
4. Sri. Sundaresan,
DRM, Bangalore Divn,
SR, Bangalore - 560 009.
5. Sri R.K.Jain,
Chairman, Railway Board,
Rail Bhavan,
New Delhi - 110 001.

Accused/
Respondents

(Sri Sreerangaiah ... Advocate)

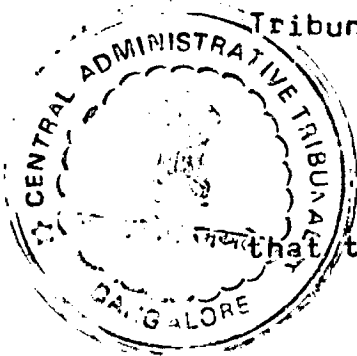
This application having come up before the
Tribunal today, Hon ble Member (A) made the following :

ORDER

In this petition, the petitioner complains
that the direction issued by this Tribunal in order

P. J. ...

....2/-



dated 29.10.1987 disposing of Application Nos. 489 to 507 and 523 to 526 of 1987 has not been implemented so far as she is concerned. In Application Nos. 489 to 507 and 523 to 526 of 1987, there were 23 applicants. Disposing of those applications, this Tribunal ~~had~~ passed the following order :

" We direct the respondents that the applicants who were engaged on or before 17.11.86 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 21.4.82 and 20.4.85 of the Railway Board."

The petitioner herein, who was one of the applicants, complains that this direction has not been implemented so far as she is concerned.

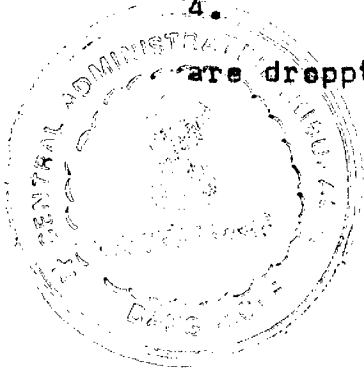
2. When the matter came up for hearing today, Shri I.R.Shariff appears for the applicant and Shri M.Sreerangaiah for the respondents.

3. Shri Sreerangaiah files an additional reply statement stated to have been prepared on behalf of the respondents and signed by the Divisional Personnel Officer, Southern Railway, Bangalore. Attached to the reply is an Office Order dated 4.5.90 by which the applicant along with 20 others has been appointed as Probationary Commercial Clerk. The reply should have been filed by one of the respondents named in the Contempt Petition. However, the office order produced by Shri M. Sreerangaiah discloses that the direction issued by this

P. J. K.

Tribunal so far as the applicant is concerned has been implemented. Shri Sreerangaiah explains that implementation has been done in accordance with the orders of this Tribunal as modified by the Supreme Court in connected cases. Shri I.A.Shariff confirms that the respondents are no longer guilty of contempt and that the order of this Tribunal has been implemented by them.

4. In view of the above, the proceedings ⁱⁿ ~~of~~ contempt are dropped leaving the parties to bear their own costs.



Sd/-
MEMBER (A)

Sd/-
MEMBER (J).

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R. Venkatesh
DEPUTY REGISTRAR (JDL 9/7)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE