

(2)

CAT/3/12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

STAMP NO. 789/91.

O.A. No.

T.A. No. O.A. No. 118/92

198

DATE OF DECISION 21/12

SHRI M.D. MAZGAONKAR, Petitioner


SHRI G.S. WALIA, Advocate for the Petitioner(s)

Versus

UNION OF INDIA & ORS. Respondent

SHRI J.G. SAWANT, Advocate for the Respondent(s)

CORAM :

 The Hon'ble Mr. JUSTICE U.C. SRIVASTAVA, VICE-CHAIRMAN,

The Hon'ble Mr. M.Y. PRIOLKAR, MEMBER (A)

1. Whether Reporters of local papers may be allowed to see the Judgement? ✓
2. To be referred to the Reporter or not? ✓
3. Whether their Lordships wish to see the fair copy of the Judgement? ✓
4. Whether it needs to be circulated to other Benches of the Tribunal? ✓

MGIPRRND-12 CAT/86-3-12-86-15,000

(U.C. SRIVASTAVA)

V/C

(3)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY.

STAMP

Original Application No. 789/91 C.A. 118/92

Shri M.D.Mazgaonkar, & Ors. ... Applicant.

V/s.

Union of India & Ors. ... Respondents.

Coram: Hon'ble Shri Justice U.C.Srivastava, Vice-Chairman,
Hon'ble Shri M.Y.Priolkar, Member(A).

Appearances:-

Shri G.S.Walia for the applicant.
Shri J.G.Sawant for the respondents.

Oral Judgment:-

(Per Shri U.C.Srivastava, Vice-Chairman) Dt. 2.1.1992.

As a short question is involved in this matter we have heard the counsels for the parties and we are disposing of this case finally. The application is admitted. The applicants are Casual Boat Sarang/Engine Driver appointed by the Chief Engineer(C) Metropolitan Railways (MTP) after selection on 29.9.1989. They continued to work up to the month of ^{24th December 1991} ~~October, 1990~~ where-
after their services were terminated. The contention on behalf of the applicants ^{is} that they have attained a temporary status and their services cannot be terminated in this manner. On the respondents side it has been stated that the retrenchment compensation has also been given and as the services were terminated, they no longer require the services of the applicants ~~to their owners~~ and that is why their services have been terminated, as they have given service only for the specialised work, which were compelled.

...2.

Corrected
by
5/2/92

2. On behalf of the applicant it was contended that the applicants had attained temporary status notwithstanding the work the project has come to an end the applicants are entitled to alternative job in pursuance of the scheme which has been framed by the Railway Administration in the year 1986 in pursuance of directions issued by the Supreme Court in the case of Inderpal Yadav's case 1982(2) SLJ 58. In the said scheme provisions for those who were appointed as Casual Labourer ~~max~~ after 1986 has also been made. In accordance with the scheme the applicants may also be provided jobs as and when the job is available for them when their turn comes and the Railway Administration will register their name for this purpose and give them alternative appointment in accordance with the scheme which also makes a provision for judging their suitability. The application stands disposed of finally on the above terms.


(M.Y. PRIOLKAR)
MEMBER(A)


(U.C. SRIVASTAVA)
VICE-CHAIRMAN.

B.S.M.