

OS
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, "GULESTAN" BUILDING NO.6
PRESKOT ROAD, BOMBAY 1

CIRCUIT SITTING AT NAGPUR

O.A.Nos. 554/93; 768/93 and 1136/93

Ashok Gulabrao	..Applicant (O.A.No.554/93)
Balaji Dajiba & 4 ors.	..Applicants (O.A.No.768/93)
Narayan Kachroo & 6 ors.	..Applicants (O.A.No.1136/93)

V/s

Union of India through General Manager Central Railway, Bombay and ors.	..Respondents
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Coram: Hon.Shri Justice M.S.Deshpande, V.C.
Hon.Shri P.P.Srivastava, Member(A)

Appearance:

Mr. V.S.Yawalkar
Counsel for applicants in
all the above 3 OAs,

Mr. V.G.Rege with Mrs.Indira Bodade
and Mr. P.S.Lambat, counsel for the
respondents nos. 1 to 3

Mr.V.S.Taskar
Counsel for respondents
nos. 4 to 13 in OA No.768/93)

<u>ORAL JUDGMENT:</u> (Per: M.S.Deshpande, Vice Chairman)	<u>Dated: 20.7.95</u>
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Heard the counsel. Mr. Rege, Ld. counsel
for the respondents states that the entire
policy of regularisation is to be reviewed
because under the extant Railway Board orders
100% seats were to be utilised for casual
artisans but the Divisional Office through an
error utilised only 60% and utilised the

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remaining 40% for regular Group D employees. He also states that a petition was filed earlier by one of the casual artisans and the Department had to find ways and means for implementing the directions of the Tribunal. He states that the Railways are reconsidering the entire matter with a view to directing utilisation of 100% posts and this will take some time.

2. We find that since the department is contemplating a change in the mode of implementation of the instructions which are already issued, ~~and~~ Shri Yawalkar states that since the applicants are likely to be benefited if such a procedure is adopted he would have no object to the course which the respondents are taking.

3. We direct the respondents to issue fresh clear instructions in this respect within two months from the date of communication of this order with regard to 100% posts for casual artisans. In view of this direction Shri Yawalkar does not wish to proceed with these applications but seeks liberty to institute fresh proceedings should the applicants feel aggrieved by the decision taken by the respondents. In view of this statement made by

3.

Shri Yawalkar and Shri Rege and the request of Shri Yawalkar for withdrawing the petitions we allow the petitions to be withdrawn with liberty to approach the Tribunal should the applicants feel aggrieved by the decision taken by the respondents. Similar liberty to respondents nos. 4 to 13 in OA NO.768/93 should they also feel aggrieved by the decision taken by Respondents nos. 1 to 3. No order as to costs.

(P.P. Srivastava)

Member (A)

(M.S. Deshpande)

Vice Chairman