

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH, MUMBAI

R.A.No. 44/98 in O.A.No. 455/97

Original Resp. Union of India & Others - Present Applicants

—VERSUS—

Original Appl. S.M. SAYYAD & Others - Present Respondents

REPLY BY ORIGINAL APPLICANTS/PRESENT RESPONDENTS  
IN THE ABOVE MATTER PASAWISE

Reference to Para 1 of R.A. - Requires no reply by Respondents.

Reference to Para 2 of R.A. - Requires no reply by Respondents  
as the contents are only matter of record.

Reference to Para 3 of R.A. - The judgement and order of the  
Hon'ble CAT dated 25.3.98 is based on Board's letter dated  
9.4.97 filed by the Applicant. The Respondents/Original  
Applicants are qualified Diploma Holders having completed  
more than 12 years service in the Railways as Casual Progress-  
man and discharged their duties equivalent to the duties of  
Inspectors of Grade Rs. 1400-2300 (RPS).

Reference to Para 4 of R.A. - The Hon'ble CAT, Mumbai had  
delivered its judgement and order based on other similar  
case laws in favour of the Applicants.

Reference to Para 5 of R.A. - The present Respondents submit  
that Order and Judgement dated 25.3.98 is genuine and bonafide  
and as such there is no question of setting aside the order  
on the basis of the contents of present Revision Petition  
filed by Present Applicants i.e. the Railway Administration.

Reference to Para 6 of R.A. - The provisions of Para 109 of  
I.R.E.M. are only guidelines and instructions. They are  
not law and rules legislated by Parliament. The Railway  
Board's letter dated 23.8.97 filed by the present applicant  
has nothing to do with the judgement and order of the  
Hon'ble CAT. The said letter is only a reply given by

Railway Board to the General Secretary A.I.R.F. (Union) New Delhi on the subject of regularisation of Casual Labour working in Group 'C' Scales with reference to their letter dated 13.5.97. The Applicants in this R.A. should have produced the whole correspondence between the Railways and Union Representatives. This pertains to only Group 'C' Artisan staff who are not diploma holders. As such, this letter has no relevance to the judgement and order passed by Hon'ble CAT.

Reference to Para 7 of R.A. - As such the Hon'ble CAT need not required to review its noble judgement and order dated 25.3.98 and the review application filed by present applicants/earlier respondents be dismissed with costs to be paid to the original applicants/present respondents.

Reference to Paras 8 to 12 of R.A. - Requires no reply from the present respondents as it only pertains to condonation of delay etc.

Reference to Para 13 of R.A. - The respondents/original applicants pray the Hon'ble CAT to dismiss the review petition filed by the railways as it has no relevance to the judgement and order passed by Hon'ble CAT on 25.3.98.

PRAYER: The Respondents prays as mentioned above.

SIGNATURE OF RESPONDENTS/  
ORIGINAL APPLICANTS

1. S. Jayade
3. Bhaudhan
5. S. Sankar

2. O. Alli
4. O. A. B.

VERIFICATION

The Respondents in the present Review Petition do hereby verify the contents of the reply as true on the basis of records filed by them alongwith O.A. No. 455/97. We have not suppressed any material facts, and as such verified and signed, on

1. S. Jayade

2. O. Alli

3. Bhaudhan (RMS)

5. S. Sankar