

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH, MUMBAI

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

Original Resp. Union of India & Others - Present Applicants

--VERSUS--

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

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

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 ~~the~~ 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 peti-  
tion 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

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|-----------------------|-----------------------|
| 1. <u>[Signature]</u> | 2. <u>[Signature]</u> |
| 3. <u>[Signature]</u> | 4. <u>[Signature]</u> |
| 5. <u>[Signature]</u> |                       |

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

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|-----------------------|-----------------------|-----------------------|-----------------------|
| 1. <u>[Signature]</u> | 2. <u>[Signature]</u> | 3. <u>[Signature]</u> | 4. <u>[Signature]</u> |
| 5. <u>[Signature]</u> |                       |                       |                       |