

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

OA 548/92.

Dt. of Order:10-3-94.

P.Narayana Rao

...Applicants

Vs.

1. Bridge Inspector (Open Line),  
SE Rlys, Contonment PO,  
Vizianagaram-532 203.
2. The Asst. Engineer,  
SE Rlys, Vizianagaram-532 203.
3. The Divisional Personnel Officer,  
SE Rlys, Waltair-530 004.
4. The Chairman, Railway Board,  
(Representing Union of India),  
Rail Bhavan, New Delhi-110 001.

...Respondents

Counsel for the Applicant : Shri C.Suryanarayana

Counsel for the Respondents : Shri N.R.Devraj, SC for Rlys

CORAM:

THE HON'BLE SHRI A.B.GORTHI : MEMBER (A)

THE HON'BLE SHRI T.C.REDDY : MEMBER (J)

....2.

STAG  
7

O.A. 548/92

Dt. of Decision : 10.3.94

ORDER

¶ As per Hon'ble Shri A.B. Gorthi, Member (Admn.) ¶

The applicant was initially engaged as a Casual Labourer in the year 1970 under respondent No.1. He worked with intermittent breaks for more than 530 days before he was retrenched without any notice. Subsequently he approached the 4th respondent who directed him to attend his office along with original certificate and a passport size photograph. The applicant complied with the directions, but without any result. He submitted a representation on 15.8.1986, but got no response. Although his case was recommended by respondent No. 1 & 2, later when the third respondent issued an order dt. 23.3.1987 regarding maintaining of Live Casual Labour Register, the applicant submitted his application under register<sup>ed</sup> letter No. 982 dt. 30.3.1987 (which shows that the same was received by the third respondent on 31.3.1987). Notwithstanding the same, his request for entry in the Live Casual Labour Register was not accepted by the respondents.

2. The respondents in their brief reply affidavit have mainly contended that the applicant did not submit his representation, as stated by him on 30.3.1987. Although the applicant had worked for 530 days, he could not be considered <sup>for</sup> re-engagement as he did not apply in the

To

1. The Bridge Inspector(Open Line),  
SE Rlys, Contonment PO, vizianagaram-203.
2. The Asst.Engineer, S.E.Rlys, vizianagaram-203.
3. The Divisional Personnel Officer, S.E.Rlys,  
Waltair-004.
4. The Chairman, Railway Board, Union of India,  
Rail Bhavan, New Delhi-1.
5. One copy to Mr.C.Suryanarayana, Advocate, CAT.Hyd.
6. One copy to Mr.N.R.Devraj, SC for Rlys. CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

pvm

4/11/87  
2090  
7/3/94

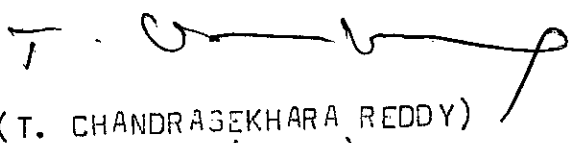
226

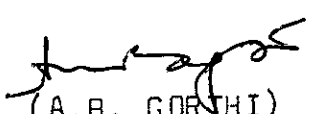
43

prescribed form by the due date.

3. We have heard learned counsel for both the parties. Mr. C. Suryanarayana learned counsel for the applicant has shown us the original postal receipt No.982 and acknowledgement slip which duly indicates that the applicant submitted the representation on 30.3.87 and that it was received by respondent No. 3 on 31.3.1987. The original postal receipt and the acknowledgement slip are taken on record.

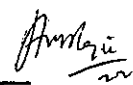
4. In view of the above, this application is disposed of with a direction to the respondents to treat the case of the applicant as if he had submitted his representation before 31.3.87 and take further necessary action in accordance with extant instructions for the purpose of entry of his name in the Live Casual Labour Register. After the name of the applicant is entered in the Live Casual Labour Register, if it is found that his juniors have been engaged, the case of the applicant also may be considered for such engagement as soon as there is work. No order as to costs.

  
(T. CHANDRASEKHARA REDDY)  
MEMBER (JUDL.)

  
(A.B. GORTHI)  
MEMBER (ADMN.)

Dated : The 10th March 1994  
(Dictated in Open Court)

spr

  
Deputy Reg