

(24)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A. 1168/93

Date of Decision: 6.12.1996

BETWEEN:

N. Suryanarayana, B. Suryanarayana,
R. Appala Naidu, B. Mallesh,
B. Raja Rao, P. Goppana,
P. Rama Narasu, G. Simhachalam,
G. Krishna

.. Applicants

AND

1. Railway Board, represented by its
Chairman, Rail Bhavan, New Delhi.
2. General Manager, South Eastern
Railway, Garden Reach, Calcutta-43
3. Divisional Railway Manager,
South Eastern Railway,
Visakhapatnam-530 004.
4. Asst. Engineer, Srikakulam Road,
S.E. Railway, Srikakulam.

.. Respondents

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Counsel for the Applicants: Mr. P.B. Vijaya Kumar

Counsel for the respondents: Mr. N.R. Devaraj

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CORAM:

THE HON'BLE SRI R. RANGARAJAN: MEMBER (ADMN.)

THE HON'BLE SRI B.S. JAI PARAMESHWAR: MEMBER (JUDL.)

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JUDGEMENT

(Oral order per Hon'ble Sri R. Rangarajan: Member (Admn.)

Heard Mr. Patrudu for P.B. Vijaya Kumar for the Applicants and Mr. N.R. Devaraj for the respondents.

There are 9 applicants in this O.A. They submit that they worked as casual labourers prior to 1981 and their services were retrenched for want of work. This OA is filed praying for a direction to the respondents to re-engage/absorb them basing on Ex-Casual Labour Register maintained, as reflected from Ex-Casual List No.E/4/172 Dt.1.7.91 by R-4 with all consequential and attendant benefits. No reply has been filed by the respondents in this connection.

Dakshin Railway Karmachari Sangh filed an SLP in the apex court for ~~for~~ re-engaging the casual labourers, discharged prior to 1.1.81. That civil appeal was disposed of directing the respondents to issue a notification calling for the Ex-casual labourers retrenched earlier to 1.1.81 and those who responded to the notification their cases should be considered in accordance with the law and their names entered in a subsidiary live register. The above direction of the Supreme Court is reported in AIR 1987 SC P.1153 (Dakshin Railway Karmachari Sangh Vs Union of India).

It is stated that the Railway ~~have~~ issued a notification giving the cut off date. From the OA it appears that the applicants have not responded to the notification. The applicants submit that they should be considered on the basis of the casual labour register maintained by R-4. But they cannot get any benefit on the basis of the record. If the

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applicants prove to the satisfaction of the respondents that they have responded to the notification referred to above ^{to} the concerned authorities ^{then the respondents} may consider their cases for inclusion in the subsidiary live register. If no convincing proof is brought to the notice of the respondents in regard to ^{their claim} representation ^{if they had not made representation} for inclusion in the subsidiary live register within the cut off date then their cases may be rejected.

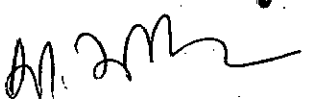
With the above observation the OA is disposed of.

No costs.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)
6/12/96


(R. RANGARAJAN)
MEMBER (ADMN.)

Date: 6TH DECEMBER 1996
Dictated in the open court


Dy. Registrar (S)

KSM