

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.919/99

DATE OF ORDER : 8-7-1999

Between :-

Chennappa

... Applicant
And

1. General Manager, (Rep. Union of India),
S.C.Railway, Rail Nilayam, Sec'bad-500 071.
2. Divisional Railway Manager, SC Rlys,
Guntakal Division, Guntakal.
3. Permanent Way Inspector/BG,
SC Rlys, Guntakal Division,
Guntakal.
4. Sr.Divisional Personnel Officer,
SC Rlys, Guntakal Division,
Guntakal.

... Respondents

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Counsel for the Applicant : Shri S.Ramakrishna Rao

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

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CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (J)

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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... 2.

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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Heard Sri S.Ramakrishna Rao, learned counsel for the applicant and Sri N.R.Devaraj, learned Standing Counsel for the Respondents.

2. The applicant in this O.A. submits that he was engaged as Watering Khalasi under Inspector of Works, (BG), S.C.Railway, Guntakal with effect from 14.3.1978 ~~Sandwasi~~ continued for different spells till 21.11.1978 rendering a total number of 202 days of service as Casual Labourer.

3. This O.A. is filed praying for a direction to the Respondents to re-engage the applicant as casual labourer in any other works that are presently available as per his seniority whose name has been brought on live register and declaring the non engagement of the applicant in preference to his juniors is arbitrary, illegal and for a consequential direction to grant all the consequential reliefs basing on the number of days of casual service put in by the applicant which is reflecting in the live register maintained by the Respondents.

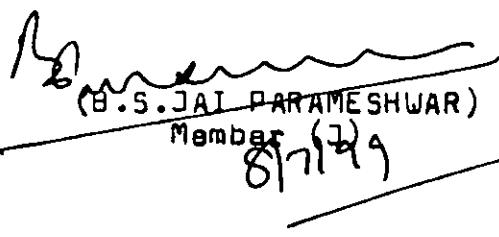
4. As per the Apex Court Judgement casual labour employed earlier to 1.1.1981 and not in service on 1.1.1981 should be kept on supplementary live register on the basis of the applications to be submitted by the concerned casual labour for enlisting him in the supplementary live register. We have asked the learned Standing Counsel for the Respondents to show evidence in regard to the applicant's name finding a

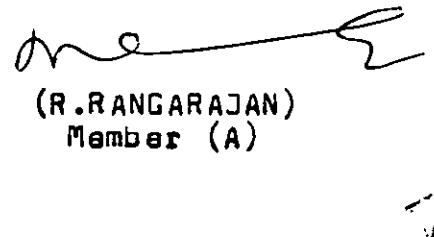
place in the supplementary live register. Though the learned counsel for the applicant pressess his contention that his supplementary name has been kept in the live register, no proof to that effect is seen in the O.A. We gave time to the applicant to produce certain documents in support of his claim made in the O.A. in the docket order dated 22.6.1999. No such documents have been produced today.

5. In view of the above, following direction is given at the admission stage itself :-

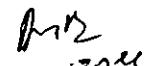
The Respondents should check whether the name of the applicant is finding a place in the supplementary live register maintained in the Guntakal Division. If his name is entered in the supplementary live register, then his case should be considered for re-engagement in accordance with the law. If his name is not finding a place in the supplementary live register, the same should be informed to the applicant and in that case, the O.A. stands dismissed.

6. O.A. ordered accordingly. No order as to costs.


(B.S.JAI PARAMESHWAR)
Member (J)
817149


(R.RANGARAJAN)
Member (A)

Dated: 8th July, 1999.
Dictated in Open Court.


MR.
T. N. R.

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