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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

R.A.119/99 in O.A.1212/99

Date of Order : 28.1.2000

BETWEEN :

1. T.Ramanjaneyulu	9. Boya Govindu
2. Gowappa	10. C.Ramudu
3. R.Hussainaiah	11. M.Laleppa
4. B.Bala Maddaiah	12. Mohammed Abdulla
5. D.Udaya Sankar	13. B.Chinna Maddilety
6. P.Gopal	14. Md.Ishaque
7. S.Zeelam	15. Md.Ibrahim
8. Shaik Sadak Jaffar	

.. Applicants.

AND

1. Union of India, rep. by its Chairman, Rail Board, Rail Bhavan, New Delhi.	
2. General Manager, S.C.Railway, Rail Nilayam, Secunderabad.	
3. Divisional Railway Manager, S.C.Railway, Guntakal.	.. Respondents.

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Counsel for the Applicants .. Mr.G.S.Rao

Counsel for the Respondents .. Mr.J.R.Gopala Rao

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CORAM :

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

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

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O R D E R

X As per Hon'ble Shri R.Rangarajan, Member (Admn.) X

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Mr.G.S.Rao, learned counsel for the applicant and  
Mrs.Shakthi for Mr.J.R.Gopala Rao, learned standing counsel  
for the respondents.

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2. The applicants in the OA have filed this R.A. for review of the judgement in the OA dated 26.11.99.

3. The first submission of the applicants in this RA is that the applicants have approached this Tribunal in time and hence there is no delay. Para-6 of the judgement needs review in this connection.

4. The judgement has to be read in full, not in parawise. The reasons for saying so are stated in para-7 of the judgement. The points mentioned by the applicants that there were repeated representations made by the applicants and that was not ~~disallowable~~ <sup>disallowable</sup> ~~rebuttable~~. This point has been considered and replied in para-7 of the judgement. Hence, we find no error in the order.

5. The next contention of the applicant is that no employee-employer relation existed between the railway administration and the applicant is erroneous. For this he relies on the serial circular No.184/90 of the Railway Board which is produced today. We have gone through that circular. That circular in our opinion is in regard to the non-implementation of the provisions of the Act. Here the question is whether the applicants should be taken back on duty treating them as if they <sup>were</sup> ~~are~~ casual labourers of the railways and hence they have a right to be re-engaged. The circular in no way helps the applicant. Hence the second

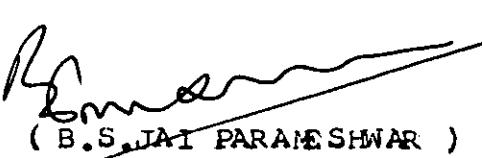
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contention is also rejected.

6. The applicant relies on the judgement of this tribunal in OA.1485/96 decided on 9.12.98 enclosed as page-25 to the OA. That judgement was challenged in the A.P. High Court. In view of the decision given by the A.P. High Court the above referred judgement may not be ~~be~~ assistance to the applicant herein.

7. No further points have been mentioned for reviewing the order. In view of what is stated above, we find no <sup>judgement</sup> error in the ~~OA~~ and the RA is dismissed. No costs.

  
( B.S. JAI PARAMESHWAR )

Member (Jd.)

28.1.2000

  
( R. RAGARAJAN )

Member (Adm.)

Dated : 28th January, 2000

(Dictated in Open Court)

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