

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A.No.25/99.

Date of decision: 16-3-1999

Between:

C. Haridass. Applicant.

and

1. The General Manager, (representing Union of India) South Central Railway, Rail Nilayam, 3rd Floor, Secunderabad. 500 071.
2. Divisional Railway Manager, South Central Railway, Divisional Office, Guntakal. Respondents.

Counsel for the Applicant: Sri S.Ramakrishna Rao.

Counsel for the Respondents: Sri K.Siva Reddy.

CORAM.

Hon'ble Sri R.Rangarajan, Member (A)

Hon'ble Sri B.S.Jai Parameshwar, Member (J)



O.A.No.25/1999

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

Date of decision: 16th March,1999.

Heard Sri S.Ramakrishna Rao, learned counsel for the Applicant and Sri K.Siva Reddy, learned counsel for the Respondents.

The applicant in this O.A., was engaged as Casual Labour in Electrical Department with effect from 6.11.1982 to 5.12.1982, 6.12.1982 to 21.12.1982, 22.12.1982 to 21.1.1983, 22.1.1983 to 21.2.1983 and thereafter from 12.11.1984 to 22.12.1984 by the Divisional Electrical Engineer (Construction) Guntakal after undergoing the medical test.

The applicant earlier filed O.A.No.29/95 praying for a direction to the respondents to cause verification of the Casual Service Cards and enter his name in the Live Register in Casual Labour category and to absorb him in the regular post of Class IV whenever it arises with all the consequential benefits. That O.A., was disposed of by an Order dated 1.10.1997 directing the applicants therein observing that "the applicants are free to produce their Casual Labour Service Cards to the concerned respondent authorities and ask for entry of their names in the appropriate Live Register. On that basis only they can claim for any further relief for engagement etc. "

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The applicant submitted his representation and on that basis the impugned Order No.G/P.107/VII dated 17.6.1998 (Annexure A-1 Page 9 to the O.A.) was issued. It is stated in the impugned letter that the applicant had worked as casual labour from 6.11.1982 to 21.2.1983 in SBC.GTL BG conversion between HUP-GTL under Southern Railway. He was asked to register his name with the authorities of Southern Railway Construction Organisation for inclusion of his name in the Live Register and for re-engagement. It is also stated in the impugned letter that his engagement in Electrical Department from 12.11.1984 to 22.12.1984 does not have the approval of Competent Authority for any consideration on this Division.

The applicant in this O.A., has also enclosed service certificate issued by the Electrical Foreman(Works) Southern Railway, Guntakal to the effect that the applicant worked as ELR Khalasi from 12.11.1984 to 22.12.1984 and stopped for want of sanction. It is also stated in that certificate ^{that} ~~his name was puting~~ in Live Register of that Office and that the particulars furnished in the ELR Register are genuine and correct.

This O.A., is filed to set aside the impugned Order No. B/P.407/VII dated 17.6.1998 of the 2nd respondent rejecting the claim of the applicant for restoring his name on Live Register and to re-engage him with consequential benefits.



Notice before admission was issued in this O.A. on 8.1.1999. But till today no reply has been filed. Though the learned counsel for the respondents requested for time to file the reply, no further adjournment is required to be given in as this case, sufficient time has already been given ^{abt} and in view of the fact that a similar O.A. No. 26/99 ~~was~~ decided on 17.2.1999. The facts of this case are similar to the facts and circumstances of the case in O.A. 26/99. The contentions raised and the prayer ^{are} ~~is~~ also similar to O.A. 26/99. Hence, we do not see any reason to differ from the judgment in O.A. 26/99 dated 17.2.1999.

For the reasons stated in the Judgment in O.A. 26/99 this O.A., is also disposed of with the following directions:

- (i) Respondent No.2 should check the Live Register as indicated in the Service certificate enclosed as Annexure V, Page 14 to the O.A., and if the name of the applicant is found in the Live Register, he should be treated as an Ex-Casual Labour whose name is in the Live Register for further engagement and other consequential benefits accordingly.

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ii) Time for compliance is two months
from the date of receipt of a copy
of this Order.

The O.A., is ordered accordingly. No
order as to costs.

B.S.JAI PARAMESHWAR
(B.S.JAI PARAMESHWAR)
Member (J)
16/12/99

R.RANGARAJAN
(R.RANGARAJAN)
Member (A)

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Date: 16-12-1999

Dictated in open Court.

Amr.
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