

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH (5)

J A I P U R .

O.A. No. 143/93

Date of decision: 18.3.93

AMAR CHAND & ORS

: Applicants

VERSUS

UNION OF INDIA & ORS

: Respondents.

Mr. T.P. Sharma

: Counsel for the applicants.

Mr. Manish Bhandari

: Counsel for the respondents.

CORAM:

Hon'ble Mr. Justice D.L. Mehta, Vice-Chairman

Hon'ble Mr. B.N. Dhoundiyal, Administrative Member

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE-CHAIRMAN:

Heard learned counsel for the parties.

2. Applicants have been transferred vide order dated 26.2.93 (Annexure A-2). They have acquired temporary status but T.A. and D.A. have not been paid to them. Mr. Bhandari refers to page 10 of his reply and submits that they are entitled for T.A. and D.A. as per rules and as soon as they submit the bills, the T.A. and D.A. will be paid automatically to them by the respondents. The respondents are directed to ensure prompt payment.

3. Learned counsel for the applicants submits that in the order of transfer (Annexure A-1), it has been mentioned that these Khallasis are borne on combined seniority list of Engineering Department, Kota Division, Western Railway and on completion of BG conversion work they should be directed to Kota Division for absorption.

4. We are in agreement that ordinarily if the work is available in the same Division, Khallasis and low-paid employees should be posted in the same Division and if there is any vacancy, the applicants should be absorbed in the Kota Division. In future, whenever a vacancy occurs they should be absorbed from time to time so that the low-paid employees may not be put to avoidable hardship.

5. The O.A. is disposed with these directions. No orders as to costs.

*B. N. Dhoundiyal*  
( B.N. DHOUNDIYAL ) 18/3/93  
Administrative Member

*D.L. Mehta*  
( D.L. MEHTA )  
Vice-Chairman