

(5)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 08.9.95

OA No.152/93

Furushottam, Varun, Savitri, Sanno, Durga, Kokil, Sudhir, Nirakar, Patna, Makram, Trilochan, Phoolalal and Bhama

...APPLICANTS.

VERSUS

Union of India and others

... RESPONDENTS.

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR. C.F. SHARMA, MEMBER (A)

For the Applicants ... Mr. R.N. Mathur

For the Respondents ... Mr. Manish Bhandari

O R D E R

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Applicants, named above, have sought directions to the respondents to regularise their services in the Construction Division of the Western Railway, Kota, as also for a direction to grant temporary status to them after the expiry of six months. They have also claimed salary in the regular scale of pay with consequential benefits including arrears.

2. We have heard the learned counsel for the applicants and the learned counsel for the respondents. We have carefully perused the records.

3. The applicants have been serving as Gangmen for the last more than 13 years, as stated by them. They are claiming grant of temporary status in terms of Regulations 2501 and 2505 of the Railway Establishment Manual, as stated in para 6.6 of the OA. They have assailed the action of the respondents in not granting temporary status after the expiry of six months' period as being arbitrary and violative of Article 14 of the Constitution. The contentions of the applicants have not been countered by the respondents by way of filing a reply to the OA. However, the learned counsel for the respondents has stated that temporary status has already been granted to the applicants in the year 1985 and so far as the regularisation of their services is concerned, the respondents shall consider the same as per rules, on merits.

4. In the circumstances, we direct the respondents to consider the applicants' case for regularisation in the post of Gangman in accordance with *existing* rules.

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5. The OA stands disposed of accordingly with no order as to costs.

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(O.P. SHARMA)

MEMBER (A)

C/Kishore
(GOPAL KISHNA)

VICE CHAIRMAN

VK