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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 15.4.97

OA 60/95

Lala Ram, Casual Labour in DFM Office Staff Canteen, Western Railway, Jaipur.

... Applicant

Versus

1. Union of India through General Manager, Western Railway, Churchgate, Bombay.
2. Chief Personnel Officer, Western Railway, Churchgate, Bombay.
3. Divisional Railway Manager, Western Railway, Jaipur Division, Jaipur.
4. Sr. Divisional Personnel Officer, Western Railway, Jaipur Division, Jaipur.

... Respondents

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

For the Applicant

... Mr. Shiv Kumar

For the Respondents

... Mr. Manish Bhandari

O-R-D-E-R

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Lala Ram, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying for a direction to the respondents to treat the applicant as a railway servant and to extend all benefits admissible to a railway servant in terms of the Railway Board's circulars issued from time to time.

2. Heard the learned counsel for the parties.

3. The case of the applicant is that he was a casual labour in the DFM Office Staff Canteen, Jaipur. He has rendered 120 days' continuous service long back and has attained temporary status. It is further stated that he has rendered more than 240 days' service during the preceding 12 calendar months. He has also passed the requisite medical examination and was found fit in C-I medical category vide Ann.A-1. It is pleaded by the applicant that he was an employee of a Non-Statutory (Recognised) Canteen of the Railways. The learned counsel for the applicant wants the applicant's representation, at Ann.A-1, dated 10.1.94 to be decided in terms of the Railway Board's letter dated 18.5.90 on the subject, "Implementation of the Supreme Court Judgement regarding Canteen Employees - Non-Statutory (Recognised)", at Ann.A-3, through a speaking order.

4. In the circumstances, respondent No.3 is directed to decide the applicant's representation, at Ann.A-1, dated 10.1.94 in terms of the Railway

Board's letter dated 18.5.90 through a speaking order within a period of two months from the date of receipt of a copy of this order. If the applicant is aggrieved by any decision taken on his representation, he shall be at liberty to file a fresh OA. The OA stands disposed of accordingly with no order as to costs.

Gopal Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN

VK