

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORDER SHEET

ORDERS OF THE TRIBUNAL

30.03.2015

OA No. 291/00108/2015

Mr. S.S. Ola, Counsel for applicants.

The present OA is filed seeking a direction, directing the respondents to regularize the services of the applicants.

The members of applicant no. 1 are registered with the Trade Union, working as Parcel Porters on the various Railway Stations engaged on contract basis. Applicant no. 2 is working as Parcel Porter for more than 10 years and is continuously working at various Railway Stations. It is pointed out that certain Railway Porters of the Eastern Railway have filed Writ Petition No. 5017/1992 and 415/1992 before the Apex Court and Apex Court allowed the Writ Petition, directing the Railway administration to absorb them on permanent basis taking the length of service/engagement. The learned counsel for the applicant also mentioned that similar orders have been passed by the Hon'ble Apex Court in Civil Appeal No. 1359/1996 vide its order dated 03.04.1996.

The learned counsel for the applicant also refers that similar order is passed by the Calcutta High Court in Writ Petition No. 14693 of 1998. The Principal Bench of the Central Administrative Tribunal in OA No. 1089/2004 (National Parcel Porters & Others vs. Union of India & Others) directed to forward the case for authenticity and verification of their working to ALC Lucknow in tune with the decision of the Apex Court in Railway Parcel Porters and also to consider the screening and regularization within a period of three months from the date of receipt of a copy of the order.

The learned counsel for the applicant also referred to various decisions delivered by the Principal Bench including (Bhojraj & Others vs. Union of India & Others) in OA No. 2694/2006 decided on 11.05.2007 wherein it was held that All India Union Porters cases delivered by the Apex Court would be applicable on the Parcel Porters.

The Principal Bench in OA No. 1087/2004 issued directions to Eastern Railway to forward the cases of the applicants therein and similar directions are issued as referred to above.

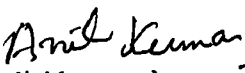
The matter is taken up for admission. The learned counsel for the applicant submits that representations

submitted by the applicants is pending consideration before the General Manager, North Western Railway.

In the facts & circumstances of the case and after considering the pleadings and material of the case, we find that the matter will have to be considered by considering the representations pending before the General Manager. In view of the limited prayer to consider the representation, we consider it necessary not to issue notices but to issue directions in limine.

The OA is disposed of directing the respondent no. 1, General Manager, North Western Railway, Jaipur, to consider the representation at Annexure A/1 and pass appropriate speaking and reasoned order within a period of one month from the date of receipt of a copy of this order. The applicant is also directed to furnish a copy of the OA alongwith a copy of this order within a period of ten days.

With these observations, the OA is disposed of with no order as to costs.


(Anil Kumar)
Member (A)


(Justice Harun-UI-Rashid)
Member (J)

Abdul