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CENTRAL ADMINISTRATIVE TRIBUNAL,
JABALPUR BENCH,
JA BALPUR

Original Application No. 711 of 2005

Jabalpur, this the 30th day of November, 2006.

**Hon'ble Dr.G.C.Srivastava,Vice Chairman
Hon'ble Shri A.K.Gaur, Judicial Member**

1. Jagmohan S/o Shri Deshraj, aged 35 yrs., Sarvoday Chouraha, Kanungo Ward, Bina (M.P.).
2. Kanhaiya Lal S/o Shri Chatre, aged about 40 years, R/o Cabin, Railway Quarter, Ganj Basoada, Distt. Vidisha (M.P.).
3. Mohd.Shaheed S/o Gulam Mohd. aged about 36 years, R/o Anchal Ward, Bina (M.P.)
4. Radhmohan S/o Gyarasilal aged about 40 yrs. R/o Near Ma Jogeshwari Mandir, Bilgaiya Ward, Bina (M.P.).
5. Naresh Kumar Soni S/o Shri Girdhari Lal, aged about 43 years, R/o Kanoongo Ward, Itawa, Bina, Bina (M.P.).
6. Bhagwati Prasad S/o Khooba, aged about 40yrs. R/o Naugaon, Bina, Bina (M.P.)
7. Pooran Lal S/o Kishori Lal, aged about 39 years, R/o Bhim Ward, Bina, Bina (M.P.)

-Applicants

(By Advocate – Ms.Jayalakshmi Aiyer)

V E R S U S

1. Union of India through General Manager, West Central Railway, Jabalpur.

2. Divisional Railway Manager (P), West Central Railway, Bhopal

-Respondents

(By Advocate – Shri S.P.Sinha)

O R D E R(Oral)

By A.K.Gaur, JM.-

By means of this Original Application, the applicants have claimed that the respondents may be directed to empanel the applicants in group-D post.

2. According to the applicants, they were initially engaged on different dates ranging from 1980 to 1995 as casual labourers/ waterman/ gangman by the respondents and they were posted at Bina. The details of their service record has been filed as annexures A-I/1 to A-I/7.

3. The respondents by filing their return have denied the allegations contained in the OA. In paragraph 4.6 of their reply, the respondents have stated that the persons who applied for consideration were screened, their credential certificates, working of number of days were verified and on the basis of vacancies, the persons who had worked on longer number of days were appointed. As regards applicant nos.1, 3 & 7, they had applied in response to notification dated 17.1.2000 (annexure R-1) and submitted the mark sheets in proof of their date of birth. On verification the same were found fake (annexure R-II). Hence they are not entitled for any appointment. As regards applicants nos.2, 4 & 5, their initial date of engagement could not be verified due to non-availability of old records. The respondents have also stated in their reply that efforts are being made to trace the same and only when particulars from the records verified, they would be considered for appointment. Applicant no.6 has neither produced

any record of service nor the casual labour service card. It has also been intimated by the respondents that applicant no.6 has already filed OA No.602/2005. In view of this statement of fact, this OA with regard to applicant no.6 deserves to be dismissed on this ground alone.

4. Having considered the case of the parties and after careful perusal of the record, we are of the firm view that no case for our interference is called for in respect of applicants 1,3 & 7. As regards applicants nos.2, 4 & 5, it has been submitted on behalf of the respondents that their case could only be considered after production of casual labour service card. We, therefore, direct the respondents to consider their case as soon as their records are found.

5. With the aforesaid observation, the OA is disposed of. No costs.

A.K.Gaur
(A.K.Gaur)
Judicial Member

G.C.Srivastava
(Dr.G.C.Srivastava)
Vice Chairman

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पृष्ठांकन सं. ओ/न्या.....जबलपुर. दि.....
पत्रिनिधि अधे शिल :—

- (1) संकेत, उच्च न्यायालय एवं एसोसिएशन, जबलपुर
- (2) अधोदाता श्री/ मिस्ट्री/दूसरे के काउंसल
- (3) प्रस्तरी श्री/ मिस्ट्री/दूसरे के काउंसल
- (4) बंदिश, एवं अन्य अधिकारी एवं अधिकारी

सूचना एवं अवश्यक कार्ड्साडी हेतु

उपराजिस्ट्रार

DS/mb
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