

**CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH
JABALPUR**

O.A.NO.559/2003

Hon'ble Sh. Sarveshwar Jha, Member (A)
Hon'ble Sh. G. Shanthappa, Member (J)

Jabalpur, this the 6th day of November, 2003

Versus

Union of India through
The General Manager
South Estate Central Railway
Bilaspur Zone
Bilaspur (CG)., and 11 others .. Respondents
(as per memo. of parties)
(By Advocate: Sh. S.S.Gupta)

O R D E R (oral)

By Sh. Sarveshwar Jha, Member (A)

Learned counsel for the respondents has
sought more time to be able to file their reply, to which
the learned counsel for applicants has no objection.

2. However, on perusal of the OA, it is observed that this pertains to the request of the applicants who are casual labourers and who have already put in more than 27 years of service as casual labourers for regularisation of their services from the date of their juniors have been given the benefit of regularisation of their services.

3. It is imagined that the applicants have been continuing with the respondents for such a long period when some of them might be on the verge of superannuation without their services having been regularised. Therefore, we are ~~refusing~~

constrained to observe that this case should have been looked into with reference to the service records in respect of the applicants and necessary decisions taken in the matter after verifying/scrutinising the service records in respect of these applicants. It is also observed that specific mention has been made by the applicants' counsel that services of ~~some~~ some juniors have been regularised and that makes the matter ~~still~~ more serious and creates ~~more~~ discrimination against the applicants.

4. After considering the submissions made by the applicants in this OA and also hearing the learned counsel on both/sides, we are inclined to dispose of this OA at this stage itself with directions to the respondents to treat this OA as a representation and to dispose ~~of~~ it of after verifying the services claimed to have been rendered by the applicants and after checking that some juniors have been given the benefit of regularisation of their services, and to also consider giving the same benefit to these applicants if, on verification of their service records, it is found that they are eligible, ~~and that~~ their services would be regularised with reference to their juniors.

5. At this stage, learned counsel for the applicant has also ~~made~~ drawn our attention to Annexure A5, a Judgement, which deals with similarly situated persons like ~~applicants~~. As such, the learned counsel for ~~the~~ applicants has made a prayer that the respondents may, while considering the cases of the applicants, consider ~~extending~~ extending the ~~same~~ ^{to them} same benefits ~~as~~ given in the said orders.

6. In view of the above prayer made by the learned counsel for ~~any~~ the applicants in the aforesaid para, the respondents are also directed to keep the said Judgment (Annexure A5) in view, while considering the cases of the applicants.

7. It is further directed that the respondents shall comply with the above directions within a period of two months from the date of receipt of a copy of this order. With this, the OA stands disposed of in terms of the above directions. No costs.

(G. SHANTHAPPA)
MEMBER (J)

(SARVESHWAR JHA)
MEMBER (A)

/rao/

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