

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

1. P.P.Challayya
2. S.K.Chandra
3. Ram Prasad
4. M.A.Rahman ... Applicants

(As per memo. of parties)

(By Advocate: Sh. S.Paul)

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  
smoe more  
sought/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 ~~not~~

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 juniors have been regularised and that makes the matter still more serious and creates ~~scope of~~ discrimination against the applicants.


4. After considering the submissions made by the applicants in this OA and also hearing the learned the 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 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 also to consider giving the same benefit to these applicants if, on verification of their service and that records, it is found that they are eligible, their services would be regularised with reference to their juniors.

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

6. In view of the above prayer made by the learned counsel for ~~app~~ 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/

पुढावळ सं जोडला..... जयपूर, दि.....  
चौकिसी.....  
(1) माहिती.....  
(2) अदालत वीर..... स. पावल; आदी  
(3) यादी.....  
(4) पोलीस, अदालत, वगैरे.....  
सुचना पत्र अन्वयेत द्यावे हे सूच

S. Paul; Ad.  
And B. Ramji, Ad.  
S S

  
10/11/03

Forwarded  
ON  
11-11-03