

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

OA No. 3205/2016

Dated, this the 21st day of September, 2016

Hon'ble Mr. V. Ajay Kumar, Member (J)

1. All India Parcel and Goods Porters Union,
through its Secretary,
Shri Suram Chandra Sharma, age 45 years
C/o K-61, V.K. Dutt Colony,
Karbala, New Delhi-110003.
(For 159 applicants mentioned in Annexure A-1)

2. Suraj Kumar, aged 43 years,
S/o Mahendra Hahto.

3. Binit Kumar Roy, age 44 years
S/o Rajendra Kumar Roy.

4. Md. Sharfaraz Alam,
S/o Md. Zahir Alam.
Applicants No. 2 to 4
Shri Suram Chandra Sharma,
C/o K-61, V.K. Dutt Colony,
Karbala, New Delhi-110003.

... Applicants

(By Advocate: Sh. Dinesh Kumar Garg with Sh. Deepak Mishra and Sh. Abhishek Garg)

versus

1. Union of India,
through the Chairman,
Railway Board, Rail Bhawan,
New Delhi.

2. The General Manager,
Eastern Railway,
Fairly Place,
Netaji Subhash Road, Kolkata-1.

3. The Regional Labour Commissioner,
(Central), Aliganj, Lucknow, U.P.

... Respondents

ORDER (ORAL)

MA No. 2845/2016 filed for joining together is allowed.

Heard the learned counsel for the applicants.

2. The applicants, that is, All India Parcel and Goods Porters Union represented by Secretary along with three other Porters working on contract basis filed the OA seeking the following reliefs:

“(a) issue an appropriate direction, directing the Regional Labour Commissioner (Central) Lucknow respondent No. 3 to consider the representation of the applicants dated 12.8.2016 by providing an opportunity of hearing to the applicants and pass appropriate direction for the absorption of the applicants (mentioned in Annexure A-1) alongwith applicants No. 2 to 4 as class IV employees in Eastern Railway;

(b) pass any other order or orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.”

3. It is seen that the applicants are said to have been working under the second respondent, i.e, Eastern Railway and their claim for absorption is to be considered by their employer only. But, none of the documents filed along with the OA disclose that they have made any representation to Railways and the same is either pending or rejected.

4. In the circumstances, OA is disposed of without going into the merits of the case by permitting the applicants to make appropriate representations ventilating their grievances to the second respondent within four weeks from the date of receipt of certified copy of this order and on receipt of such a representation from the applicants, the respondents shall consider the same and pass appropriate speaking and reasoned order thereon within 90 days therefrom, in accordance with law. No costs.

Let a copy of the OA, be enclosed to this order.

(V. Ajay Kumar)
Member (J)