

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A No. 180/00743/2018

Friday, this the 7th day of September, 2018.

CORAM:

**HON'BLE Mr. E.K. BHARAT BHUSHAN, ADMINISTRATIVE MEMBER
HON'BLE Mr. ASHISH KALIA, JUDICIAL MEMBER**

1. U. Subbiah, 58 years,
S/o. Ulaganathan,
Track Maintainer Gr. III/ Gang No. 6,
Prassala/Southern Railway/
Office of the Senior Section Engineer/
Permanent Way/Trivandrum Central.
Permanent Address: Valarakuzhi, Kuttu Vilai,
Kuzhithurai Post,
Kanyakumari District – 629 163.
2. N. Tharmaraj, 58 years,
S/o. K. Nadan,
Track Maintainer Gr. III/Trolley Man/
Kuzhithurai Southern Railway/
Office of the Senior Section Engineer/
Permanent Way/Trivandrum Central.
Residing at : Kaliyan Tmhottam,
Viricode (P.O), Marthandam,
Kanyakumari District – 629 165.
3. J. Vincent, 57 years,
S/o. Jacob,
Track Maintainer Gr. III/Gang No. 6/Parassala/
Southern Railway/Office of the Senior Section Engineer/
Permanent Way/Trivandrum Central.
Residing at: Kuzhivilai Veedu,
Kannacode, Marthandam (P.O),
Kanyakumari District – 629 165. - Applicants

[By Advocate Mr. T.C. Govindaswamy]

Versus

1. Union of India represented by
The General Manager, Southern Railway,
Headquarters Office, Park Town (P.O),
Chennai – 600 003.
2. The Divisional Railway Manager,
Southern Railway, Trivandrum Division,
Thiruvananthapuram – 695 014.

3. The Divisional Personnel Officer,
Southern Railway, Trivandrum Division,
Thiruvananthapuram – 695 014. - Respondents

[By Advocate : Mr. Sunil Jacob Jose]

The application having been heard on 07.09.2018, the Tribunal on the same day delivered the following:

O R D E R

Per: E.K. Bharat Bhushan, Administrative Member

Heard Mr. T.C. Govindaswamy, learned counsel for the applicants.

Applicants are aggrieved by the refusal on the part of the respondents to grant them the benefit of regularisation at par with their juniors and colleagues in the list of retrenched casual labourers, as ordered by this Tribunal in a series of other Original Applications, and the consequential denial of pensionary benefits.

2. Mr. Sunil Jacob Jose, learned Standing Counsel for the Railways takes notice on behalf of the respondents.

3. We feel that the Original Application can be disposed of at the admission stage itself by directing Respondent No. 3 to consider the representations at Annexure A-6 series taking into account the orders issued by Respondent No.3 at Annexure A-5 and take an expeditious view on the same within a month from the date of receipt of a copy of this order. This order is being issued as mutually agreed by learned counsel on both sides.

4. The Original Application is disposed of as above. No order as to costs.

(Dated, 7th September, 2018.)

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K. BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

Applicant's Annexures

Annexure A1 - True copy of Office order bearing No.120/2004/WP dated 11.10.2004, issued by the 3rd respondent.

Annexure A2 - True copy of order dated 31.07.2012 in O.A No. 1032/2011 rendered by this Hon'ble Tribunal

Annexure A3 - True copy of order in O.A. No. 784/2012 dated 10.02.2015 rendered by this Hon'ble Tribunal.

Annexure A4 - True copy of judgments in OP (CAT) No. 138/2014 and connected cases dated 21.12.2016 rendered by the Hon'ble High Court of Kerala.

Annexure A5 - True copy of Memorandum bearing No.V/P.407/I/ CL/Engg./Court Cases dated 20.03.2018 issued by the 3rd respondent.

Annexure A6 - True copies of representations dated 20.06.2018 submitted by the applicants to the 3rd respondent.

Annexures of Respondents

NIL
