

**CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW.**

**ORIGINAL APPLICATION NO. 78 OF 2018.**

This the 04<sup>th</sup> day of May, 2018

**Hon'ble Dr. Murtaza Ali, Member-J**

1. **Santosh Prakash Yadav**, aged about 40 years son of Shri Ram Pyare, Resident of- Village & Post- Sagwar, P.S. Bara Sagwar, district- Unnao.
2. Ram Adhar, aged about 33 years son of Shri Bhagwandin, Resident of- Village- Dharauli, P.O & P.S. - Ajgain, district- Unnao.
3. Budhi Lal, aged about 46 years son of Shri Nanha Prasad, Resident of- Village- Ogarapur, P.O- Postenda, P.S.- Ajgain, district- Unnao.
4. Raju Verma, aged about 34 years son of Shri Ram Pal Verma, Resident of- Village- Gajakhera, P.O & P.S.- Hasanganj, district- Unnao.
5. Ram Ashre, aged about 38 years son of Shri Maiku Lal, Resident of- Village- Rainapur, P.O & P.S.- Ajgain, district- Unnao.
6. Vijay Pal, aged about 45 years son of Shri Chhote Lal, Resident of- Village- Mohidinpur, P.S.- Hasanganj, P.O- Mohan , district- Unnao
7. Ram Autar, aged about 50 years son of Shri Devi Dayal Pal, Resident of- Village- Barwat, P.O.- Chamiyani, P.S. Bighapur, district- Unnao.
8. Mukhtiyar Hussain, aged about 38 years son of Shri Ahtisham Hussain, Resident of- Village- Rainapur, P.O. & P.S.- Ajgain, district- Unnao.
9. Gayasuddin, aged about 45 years son of Shri Sirajuddin, Resident of- Village- Rainapur, P.O. & P.S.- Ajgain, district- Unnao.
10. Munna, aged about 40 years son of Shri Khinni, Resident of- Mohalla- Gugaganj Quasba, P.O. - Nawabganj, district- Unnao.
11. Raja Ram, aged about 46 years son of Shri Shiv Raj, Resident of- Village- Dariyapur, P.O. & P.S.- Ajgain, district- Unnao.
12. Abrar Hussain, aged about 45 years son of Shri Islam Hussain, Resident of- Village- Rainapur, P.O. & P.S.- Ajgain, district- Unnao.

13. Sunit Kumar, aged about 34 years son of Shri Nanke, Resident of- Village- Kushri, P.O.- Ashakhera, P.S.- Sohramau, district- Unnao.
14. Ramdeen, aged about 40 years son of Shri Maikul Lal, Resident of- Village- Rainapur, P.O. & P.S.- Ajgain, district- Unnao.
15. Sohan Lal, aged about 34 years son of Shri Bihari, Resident of- Village- Garhi Maj, P.O.- Taragaon, P.S.- Achalganj, district- Unnao.
16. Kamlesh Kumar, aged about 40 years son of Shri Mahavir Prasad, Resident of- Village- Raggha Khera, P.O.- Mustafabad, P.S.- Hasanganj, district- Unnao.
17. Om Prakash, aged about 33 years son of Shri Vishram, Resident of- Village- BhajanKhera Maj Makdumpur, P.O.- Khusumbhi, P.S.-Sohramau, district- Unnao.
18. Maan, aged about 33 years son of Shri Bholai, Resident of- Village- Mohni Khera, P.O.- Katheru, P.S.- Ashoha, district- Unnao.
19. Radhey Shyam, aged about 34 years son of Shri Nankau, Resident of- Village- Semramau, P.O. & P.S.- Hasanganj, district- Unnao.
20. Sanjay Kumar, aged about 33 years son of Shri Ramdin, Resident of- Village- Pachhiyan Bangla Quasba, P.O.- Nawabganj, District- Unnao.
21. Nand Lal, aged about 42 years son of Shri Babu Lal, Resident of- Village- Maletha Maj Barsinghi, P.O.- Raipur Gadhi, P.S.- Makhi, district- Unnao.
22. Lalta Prasad, aged about 33 years son of Shri Laxmi Narayan, Resident of- Mohalla- Durgaganj Quasba, P.O.- Nawabganj, P.S.- Ajgain, district- Unnao.
23. Subhash Chandra, aged about 35 years son of Shri Ramesh Chandra, Resident of- Village- Mahatwani, P.O. & P.S.- Ajgain, district- Unnao.
24. Saurya Mandal Kumar, aged about 41 years son of Shri Ram Sumer, Resident of- Village & Post- Sikhanderpur, P.S.- Bighapur, district- Unnao.
25. Chhoten Lal, aged about 40 years son of Shri Bhukhan, Resident of- Village- Rainapur, P.O. & P.S.- Ajgain, district- Unnao.
26. Shiv Ram, aged about 42 years son of Shri Nanha, Resident of- Village- Pawa, P.O.- Mustafabad, P.S.- Makhi, district- Unnao.

27. Lal Bahadur, aged about 35 years son of Shri Ganga Ram, Resident of- Village- Sadhira, P.O.- Raipur Gadhi, P.S.- Ajgain, district- Unnao.
28. Brij Pal Singh, aged about 35 years son of Shri Muneshwar Singh, Resident of- Village & Post- Darbari Khera, P.S.- Ajgain, district- Unnao.
29. Lalit Kumar, aged about 33 years son of Shri Laxmi Narayan, Resident of- Mohalla Durga Ganj Quasba, P.O.- Nawabganj, P.S.- Ajgain, district- Unnao.
30. Dev Prakash, aged about 35 years son of Shri Ravi Dutt, Resident of- Village- Jhulpur, P.O.- Chahotar, P.S.- Sareni, district- Unnao.
31. Anil Kumar Verma, aged about 34 years son of Shri Ramrup Verma, Resident of- Village- Chitta Khera, P.O.- Maurawan, district- Unnao.
32. Anil Kumar, aged about 33 years son of Shri Mahadev, Resident of- Village- Pahar Khera Maj, P.O.- Bhauli, P.S.- Ajgain, district- Unnao.
33. Chandra Pal, aged about 36 years son of Shri Hemraj, Resident of- Village- Latif Nagar, Post- Beti, Banthara, district- Unnao.
34. Chatarpal, aged about 36 years son of Shri Baijnath, Resident of- Village- Pidhari, P.O.- Nawabganj, P.S.- Ajgain, district- Unnao.
35. Chandra Bhushan, aged about 39 years son of Shri Murali, Resident of- Village- Mahanaura, P.O.- Sahrawan, P.S.- Sohramau, district- Unnao.
36. Rajendra Kumar Shula, aged about 40 years son of Shri Uma Shankar Shula, Resident of- Village- Dariyapur, P.O. & P.S.- Ajgain, district- Unnao.
37. Jitendra Singh, aged about 50 years son of Shri Ram Singh, Resident of- Village- Rampur, P.O.-Atawa, P.S.- Makhi, district- Unnao.
38. Jagdish, aged about 45 years son of Shri Shiv Nath, Resident of- Village- Jansar, P.O. & P.S.- Ajgain, district- Unnao.
39. Satyadev Singh, aged about 35 years son of Shri Amin Singh, Resident of- Village- Laxmanpur, P.O.- Pure Bahori, P.S.- Kaudiya, district- Gonda.
40. Shitla Prasad, aged about 35 years son of Shri Bhoga, Resident of- Village- Baura, P.O. & P.S.- Ajgain, district- Unnao.
41. Ganga Prasad, aged about 40 years son of Shri Loka, Resident of- Village- Lakhanpur, P.O.- Jaitipur, P.S.- Ajgain, district- Unnao.

42. Guru Prasad, aged about 36 years son of Shri Ram Pal, Resident of- Village- Rampur, P.O.- Atawa, P.S.- Makhi, district- Unnao.
43. Suresh Kumar, aged about 35 years son of Shri Hari Prasad, Resident of- Village- Dahrauli, P.O. & P.S.- Ajgain, district- Unnao.
44. Nanku, aged about 36 years son of Shri Lallu, Resident of- Village- Rainapur, P.O. & P.S.- Ajgain, district- Unnao.
45. Ram Swarup, aged about 42 years son of Shri Tulsi Ram, Resident of- Village- Semramau, P.O. & P.S.- Hasanganj, district- Unnao.
46. RamVishum, aged about 41 years son of Shri Ram Prasad, Resident of- Village- Shital Khera Maj, P.O.- Ashawar, P.S.- Sohramau, district- Unnao.
47. Nootan Kumar, aged about 35 years son of Shri Naresh Kumar, Resident of- Village & P.O.- Bhadhar Naushahra, P.S.- Fatehpur Chaurasi, district- Unnao.
48. Raghvendra Bahadur Singh, aged about 36 years son of Shri Ram Dulare Singh, Resident of- Village- Shekhpur, P.O. & P.S.- Ajgain, district- Unnao.
49. Ramesh Pal, aged about 358 years son of Shri Shivraj, Resident of- Village- Dariyapur, P.O. & P.S.- Ajgain, district- Unnao.
50. Ram Sanehi, aged about 40 years son of Shri Alopi, Resident of- Village- Vasant Khera, P.O.- Maharajganj, P.S.- Khirao, district- Raibareilly..
51. Manohar, aged about 35 years son of Shri Sumer, Resident of- Village- Rampur, P.O- Atawa, P.S.- Makhi, district- Unnao.
52. Munni Lal, aged about 38 years son of Shri Gokul, Resident of- Village- Bahaiddinpur, P.O. & P.S.- Ajgain, district- Unnao.
53. Ram Bahadur, aged about 40 years son of Shri Dullu, Resident of- Village- Bhagwat Khera, P.O.- Sagwar, P.S.- Bara Sagwar, district- Unnao.
54. Desh Raj, aged about 37 years son of Shri Shiv Das, Resident of- Village & P.O.- Sagwar, P.S.- Bara Sagwar, district- Unnao.
55. Rajesh Kumar, aged about 35 years son of Shri Nanhkau, Resident of- Village- Pahar Khera Maj, P.O.- Bhauli, P.S.- Ajgain, district- Unnao.
56. Dharam Pal, aged about 35 years son of Shri Aganu, Resident of- Village- Gaura, P.O.- Achalganj, district- Unnao.

57. Shankar Lal, aged about 41 years son of Shri Mihilal, Resident of- Village- Ranipur, P.O.- Kantha, P.S.- Ashoha, district- Unnao.
58. Suresh Chandra Rawat, aged about 42 years son of Shri Shiv Prasad, Resident of- Village & P.O.- Pura Nisafpansari, P.S.- Makhi, district- Unnao.
59. Chandra Bhanu Singh, aged about 40 years son of Shri Jay Gopal Singh, Resident of- Village & P.O.- Bichhiya, P.S.- Purwa, district- Unnao.
60. Kallu, aged about 38 years son of Shri Lallu, Resident of- Village- Rainapur, P.O. & P.S.- Ajgain, district- Unnao.
61. Rajesh Kumar, aged about 35 years son of Shri Munni Lal, Resident of- Village- Bharasamastpur, P.O. & P.S.- Hasanganj, district- Unnao.
62. Hari Bishnu, aged about 42 years son of Shri Raghupati, Resident of- Village- Gajiganj, P.O.- Jaitipur, P.S.- Ajgain, district- Unnao.
63. Raj Kumar, aged about 35 years son of Shri Fakire, Resident of- P.O. & P.S.- Ajgain, district- Unnao.
64. Jai Bhawan, aged about 38 years son of Shri Chhhote Lal, Resident of- Village- Dewari, P.O.- Atesua, P.S.- Ajgain, district- Unnao.
65. Mansha Ram, aged about 46 years son of Shri Sarju Prasad, Resident of- Village- Sarai Katiyan, P.O.- Sorik, P.S.- Ajgain, district- Unnao.
66. Mangal Prasad, aged about 45 years son of Shri Bharose, Resident of- Village- Danu, P.O.- Aswaer , P.S.- Ashoha, district- Unnao.
67. Manohar Lal, aged about 40 years son of Shri Hari Lal, Resident of- Village- Rampur Khalahs, P.O.- Unnao, P.S.- Ajgain, district- Unnao.
68. Buddhi Lal, aged about 42 years son of Shri Roshan Lal, Resident of- Village- Rampur Khalahs, P.O.- Unnao, P.S.- Ajgain, district- Unnao.
69. Sohan Lal, aged about 35 years son of Shri Pyare Lal, Resident of- Village- Sarukhera, P.O.- Bara, P.S.- Barasagwar, district- Unnao.
70. Sant Ram, aged about 38 years son of Shri Kandhai, Resident of- Village- Mahramau, P.O.- Nibai, P.S.- Bighapur, district- Unnao.
71. Sunder Lal, aged about 35 years son of Shri Putti Lal, Resident of- Village- Rainapur, P.O. & P.S.- Ajgain, district- Unnao.

72. Suresh Kumar, aged about 38 years son of Shri Indra Prasad Tiwari, Resident of- Village- Dalkkhera Maj Hyderabad, P.S.- Ashwin, district- Unnao.
73. Suresh Pal, aged about 40 years son of Shri Jalim, Resident of- Village- Pipra Chak, P.O.- Jahidpur, P.S.- Kasimpur, district- Hardoi.
74. Ram Lakhan Verma, aged about 48 years son of Shri Mahavir Prasad, Resident of- Mohall- Gandhi Nagar Quasba & P.O.- Hyderabad, P.S.- Ashiwan, district- Unnao.
75. Shyam Sunder, aged about 45 years son of Shri Mahavir Prasad, Resident of- Village- Mahatwani, P.O. & P.S.- Ajgain, district- Unnao.
76. Ram Baran Singh, aged about 41 years son of Shri Jabar Singh, Resident of- Village & P.O.- Imiliya, P.S.- Barua Sumerpur, district- Hamirpur.
77. Mohd. Saleem Khan, aged about 44 years son of Shri Wali Mohammad, Resident of- Village- Dariyapur, P.O. & P.S.- Ajgain, district- Unnao.
78. Suresh Chandra, aged about 40 years son of Shri Shiv Kant Lal Chaurasiya, Resident of- Village & P.O.- Patan, P.S.- Bihar, district- Unnao.
79. Buddhiman, aged about 46 years son of Shri Shiv Pal, Resident of- Village- Sadhira, P.O.- Raipur Garhi, district- Unnao.
80. Surya Pal, aged about 46 years son of Shri Keshav, Resident of- Village- Kasanda, P.O. & P.S.- Ajgain, district- Unnao.
81. Dinesh Kumar, aged about 40 years son of Shri Cheta, Resident of- Village- Mawai Lal, P.O. & P.S.- Safipur, district- Unnao.
82. Raj Kamal, aged about 36 years son of Shri Putti Lal, Resident of- Village- Sarehari, P.O.- Bhatauli, P.S.- Kasimpur, district- Hardoi.
83. Ashok kumar, aged about 35 years son of Shri Tilak Ram, Resident of- Village- Subhankhera, P.O.- Hyderabad, P.S.- Auras, district- Unnao.
84. Om Prakash, aged about 38 years son of Shri Mulchandra, Resident of- Village & P.O.- Pura Nisfpansari, P.S.- Makhi, district- Unnao.
85. Vinod Kumar, aged about 36 years son of Shri Ram Swaroop, Resident of- Village- Shivdinkhera Maj, P.O.- Ashawar, P.S.- Ashoha, district- Unnao.
86. Rakesh Pal, aged about 38 years son of Shri Daya Shankar Pal, Resident of- Village- Dariyapur, P.O. & P.S.- Ajgain, district- Unnao.

87. Rajesh Kumar, aged about 37 years son of Shri Shiv Shankar, Resident of- Village- Sadhira, P.O.- Rajpur Garhi, P.S.- Ajgain, district- Unnao.
88. Shiya Ram, aged about 35 years son of Shri Mithai Lal, Resident of- Village- Mahnaura, P.O.- Sahrawan, P.S.- Sohramau, district- Unnao.
89. Ram Baran, aged about 42 years son of Shri Viswanath, Resident of- Village- Bilshi, Maj & P.O.- Makhi, district- Unnao.
90. Kamlesh, aged about 36 years son of Shri Makrand, Resident of- Village- Bitwa, P.O.- Rasulabad, P.S.- Ashiwan, district- Unnao.
91. Nizam Hussain, aged about 40 years son of Shri Islam Hussain, Resident of- Village- Rainapur, P.O. & P.S.- Ajgain, district- Unnao.
92. Kamlesh Kumar, aged about 40 years son of Shri Satya Naraayan, Resident of- Village- Aimakhera, P.O.- Makur, P.S.- Ajgain, district- Unnao.
93. Vijay Pal, aged about 34 years son of Shri Bulaki, Resident of- Village & P.O.- Kantha, P.S.- Ashoha, district- Unnao.
94. Krishna Kumar, aged about 40 years son of Shri Ram Chandra, Resident of- Village & P.O.- Ashakhera, P.S.- Sohramau, district- Unnao.
95. Dharmendra Singh, aged about 35 years son of Shri Ram Kumar, Resident of- Village- Sarukhera, P.O.- Bara, P.S.- Barasagwar, district- Unnao.
96. Waris Ali, aged about 36 years son of Shri Mazid Ali, Resident of- Mohalla- Girijabagh Saher, P.S.- Kotwali Sadar, district- Unnao.
97. Putti Lal, aged about 35 years son of Shri Guru Prasad, Resident of- Village- Korara, P.O.- Jaitpur, P.S.- Ajgain, district- Unnao.
98. Ashish Kumar, aged about 35 years son of Shri Arvin Kumar, Resident of- Village & P.O.- Patan, P.S.- Bihar, district- Unnao..
99. Vinod Kumar, aged about 35 years son of Shri Mool Chandra, Resident of- Village & P.O.- Maswasi, P.S.- Kotwali Sadar, district- Unnao.
100. Gaya Prasad, aged about 34 years son of Shri Binda Prasad, Resident of- Village- Mahnaura, P.O. & P.S.- Sohramau, district- Unnao.
101. Anirudh Kumar, aged about 46 years son of Shri Dulli Chandra, Resident of- Village- Pipra Chak, P.O.- Zahidpur, P.S.- Kasimpur, district- Hardoi.

102. Arunesh Kumar, aged about 36 years son of Shri Naresh Kumar, Resident of- Village & P.O.- Bahadsaheer Naushahra, P.S.- Fatehpur-84, district- Unnao.
103. Parvez Khan, aged about 36 years son of Shri Rafiq Khan, Resident of- H.N. 205, Motii Nagar., P.S.- Sadar, district- Unnao.
104. Sarvesh Kumar, aged about 34 years son of Shri Shiv Prasad, Resident of- Village & P.O.- Pura Nifspansarai, P.S.- Makhi, district- Unnao.
105. Desh Raj, aged about 34 years son of Shri Makrand, Resident of- Village- Bhutwa, P.O.- Rasulabad, P.S.- Ashiwan, district- Unnao.
106. Naresh, aged about 36 years son of Shri Maiku, Resident of- Village- H.N.-2/135, Sarvodaya Nagar, Nagar Panchayat, Shukla Ganj, P.S.- Ganga Ghat, district- Unnao.
107. Ram Bhajan, aged about 34 years son of Shri ram Pyare, Resident of- H.N.- 3/407, Adarsh Nagar, Shukla Ganj, P.S.- Ganga Ghat, district- Unnao.
108. Ram Chandra, aged about 38 years son of Shri Mohan Lal, Resident of- Village- Bhademau, P.O.- Raipur Garhi, P.S.- Makhi, district- Unnao.
109. Sunil Kumar, aged about 38 years son of Shri Shiv Prasad, Resident of- Village & P.O.- Pura Nasifpansari, P.S.- Makhi, district- Unnao.
110. Ram Chandra, aged about 35 years son of Shri Ram, Resident of- Village- Hajipur Tareha, P.O.- Newalganj, P.S.- Hasanganj, district- Unnao.
111. Pradeep Kumar, aged about 34 years son of Shri Gaya Prasad, Resident of- Village & P.O.- Pura Nasifpansari, P.S.- Makhi, district- Unnao.
112. Pankaj Kumar, aged about 36 years son of Shri Kailash Prasad, Resident of- Village- Kaithan Khera, HO- Jansar, P.O. & P.S.- Ajgain, district- Unnao.
113. Aslam Khan, aged about 40 years son of Shri Farukh Khan, Resident of- Village, P.O. & P.S.- Ajgain, district- Unnao.
114. Arun Kumar, aged about 36 years son of Shri Mul Chandra, Resident of- Village- Pura Nasifpansari, P.S.- Makhi, district- Unnao.
115. Suresh Kumar, aged about 35 years son of Shri Bahadur, Resident of- Village- Dhaukal Khera, P.O.- Postendra, P.S.- Ajgain, district- Unnao.
116. Amrit Lal, aged about 35 years son of Shri Nanha, Resident of- Village- Gorinda, P.O. & P.S.- Ashoha, district- Unnao.



117. Virendra Kumar, aged about 35 years son of Shri Vishwanath, Resident of- Village- Surti Khera, P.O.- Gahdo, P.S.- Mall, district- Lucknow.
118. Sanjay Kumar, aged about 37 years son of Shri Prabhu Dayal, Resident of- Village- Raipur Satan, P.O.- Padri Kalan, P.S.- Achalganj, district- Unnao.
119. Kamlesh Rawat, aged about 35 years son of Shri Becha Rawat, Resident of- Village- Chandauli Khurd, P.O.- Dhaura, P.S.- Hasanganj, district- Unnao.
120. Dinesh Kumar, aged about 35 years son of Shri Bihari, Resident of- Village- Gadhi, Maj & P.O.- Tara Gaon, district- Unnao.
121. Ram Babu, aged about 34 years son of Shri Hanuman, Resident of- Village- Mahadev Khera, P.O.- Kodra Sandana, P.S.- Ajgain, district- Unnao.
122. Sanjeev Kumar, aged about 34 years son of Shri Bhimma Prasad, Resident of- Village- Bhitwa, P.O.- Neutani, P.S.- Hasanganj, district- Unnao.
123. Saroj Kumar, aged about 36 years son of Shri Sohan Lal, Resident of- Village- Hajipur Baburi, P.O.- Newalganj, P.S.- Hasanganj, district- Unnao.
124. Sone Lal, aged about 35 years son of Shri Ratan Lal, Resident of- Village- Gulab Purwa, Maj Kanthari, P.O.- Naya Gaon, P.S.- Mallawan, district- Unnao.
125. Sunil Kumar, aged about 34 years son of Shri Ram Jiyavan, Resident of- Village- Pidhhari, P.O.- Nawabganj, P.S.- Ajgain, district- Unnao.
126. Ram Chandra, aged about 45 years son of Shri Rewati Lal, Resident of- Village- Ani Bujurg, P.O.- Ani Khurd, P.S.- Ashiwan, district- Unnao.
127. Chandra Veer Singh, aged about 34 years son of Shri Dularey Singh, Resident of- Village- Borepur, P.O.- Nawabganj, P.S.- Achhalda, district- Auriya.
128. Vineet Kumar, aged about 34 years son of Shri Om Prakash, Resident of- H.N.- 154, Sanjay Gandhi Nagar, Near D.K. Convent Sxhool, Nau Basta, district- Kanpur.
129. Ram Naresh, aged about 35 years son of Shri Ram Khilawan, Resident of- Village- Mankani, P.O.- Bada Gaon, P.S.- Kasimpur Behdar, district- Hardoi.
130. Lal Bahadur, aged about 36 years son of Shri Ratan Lal, Resident of- Village- Gulabpurwa Kanthari, P.O.- Naya Gaon, P.S.- Mallawan, district- Hardoi.

131. Raja Ram, aged about 40 years son of Shri Shyam, Resident of- Village- Panapur Kalan, P.O.- Lagleshra, P.S.- Ashiwan, district- Unnao.
132. Narayan Kumar, aged about 35 years son of Shri Om Prakash, Resident of- Village- Goa, P.O.- Sataura, P.S.- Talgram, district- Kannauj.
133. Ram Kishore, aged about 41 years son of Shri Budhai, Resident of- Mohalla- Kabba Khera, P.S.- Kotwali Sadar Unnao, district- Unnao.
134. Rajesh Kumar, aged about 36 years son of Shri Jawahir, Resident of- Village- Mohni Khera, P.O.- Katehru, P.S.- Ashoha, district- Unnao.
135. Mishri Lal, aged about 35 years son of Shri Lallu, Resident of- Village- Rainapur, P.O. & P.S.- Ajgain, district- Unnao.
136. Rakesh, aged about 35 years son of Shri Nankau, Resident of- Village- Baba Khera, P.S.- Sohramau, district- Unnao.
137. Ram Deo, aged about 42 years son of Shri Purvi, Resident of- Village- Sersa, P.O.- Nawabganj, P.S.- Ajgain, district- Unnao.
138. Ram Narayan, aged about 38 years son of Shri Lalai, Resident of- Village- Itkuti, P.O. & P.S.- Ajgain, district- Unnao.
139. Raghuveer, aged about 36 years son of Shri Vishwanath, Resident of- Village- Mirkapur, P.O.- Sarwan, P.S.- Maurawan, district- Unnao.
140. Guru Prasad, aged about 42 years son of Shri Ram Narayan, Resident of- Village- Dilwal, P.O.- Raipur Gadhi, P.S.- Makhi, district- Unnao.
141. Ayodhiya Prasad, aged about 38 years son of Shri Gopal, Resident of- Village- Ghasi Khera Maj Rainapur, P.S.- Ajgain, district- Unnao.
142. Gopi Ram , aged about 36 years son of Shri Pushu, Resident of- Village- Bhajanmau, P.O.- Harauni, P.S.- Banthara, district- Unnao.
143. Shyam Lal, aged about 46 years son of Shri Sitaram, Resident of- Village- Talasarain, P.O.- Sahpur Tonda, P.S.- Hasanganj, district- Unnao.
144. Ramesh Chandra, aged about 36 years son of Shri Bhukhan, Resident of- Village- Rainapur, P.O. & P.S.- Ajgain, district- Unnao.
145. Ganesh, aged about 36 years son of Shri Jagroop, Resident of- Village- Pdhari, P.O.- Nawabganj, P.S.- Again, district- Unnao.
146. Desh Raj, aged about 33 years son of Shri Lallu, Resident of- Village- Rainapur, P.O. & P.S.- Ajgain, district- Unnao.

147. Dinesh Chandra, aged about 38 years son of Shri Virendra Shankar, Resident of- Village- Sheikhpur, P.O & P.S.- Ajgain, district- Unnao.
148. Kamlesh, aged about 42 years son of Shri Jagroop, Resident of- Village- Pidhari, P.O.- Nawabganj, P.S.- Ajgain, district- Unnao.
149. Chandra Jeet Yadav, aged about 34 years son of Shri Dularey Singh, Resident of- Village- Amretha, P.O.- Nawabganj, district- Unnao.
150. Ashok Kumar, aged about 35 years son of Shri Som Bahadur Singh, Resident of- Village- Lahiya, P.S.- Ajgain, district- Unnao.
151. Dilip Singh, aged about 38 years son of Shri Ranveer Singh, Resident of- Village- Bhitare, P.O.- Nawabganj, P.S.- Ajgain, district- Unnao

.....Applicants

By Advocate: Sri Praveen Kumar

### **VERSUS**

1. **UNION OF INDIA** through Its Secretary, Ministry of Railway, Shastri Bhawan, New Delhi-01.
2. The Divisional Railway Manager, Northern Railway, hazratganj, Lucknow.
3. The Senior Divisional Commercial Manager, Northern Railway, hazratganj, Lucknow.
4. The Railway Mazdoor Labour Contract Society, Railway Station Charbagh, Lucknow through its Secretary Shri Munna Singh.

.....Respondents

By Advocate: Sri S. Verma.

### **Order (Oral)**

By means of this O.A, the applicants, who are in 151 in number, have sought the following main relief(s):-

*“(i) to quash the impugned rejection order dated 23.1.2014 with all consequential benefits.*

*(ii) to direct the respondents to absorb the applicants in service as Group ‘D’ staff with other ancillary benefits as seniority, back wages, promotion etc. while extending the benefits, which have been accorded to the counterparts.*

2. Brief facts leadings to this Original Application are that the applicants were initially engaged as contract parcel and Goods Porter by Northern Railway, Lucknow through contractor. The Applicants had worked as such for a period of 20 years or more. However, in spite of repeated judgments rendered by the Hon'ble High Court as well as Hon'ble Supreme Court, the case of the applicants were not considered for absorption as group D employee. It is averred in the O.A. that several similarly situated persons like the applicants, who were junior to the applicants and had worked for lesser number of days, approached the Hon'ble Supreme Court by filing various Writ Petitions and upon hearing the Hon'ble Supreme Court has been pleased to observe in all writ petitions that in order to give the benefits of provisions of Contract Labour (Regulations and Abolition) Act, 1970, directed the Assistant Commissioner (Labour) Central Government, Lucknow to conduct an enquiry to ascertain following facts:-

- a. *Whether the Writ Petitioners were working continuously?*
- b. *Whether the job, which they performing was of a perennial nature?*

3. In pursuance of the aforementioned directions, the Assistant Labour Commissioner (Central) Lucknow submitted its report after collecting materials from the competent authorities. On the basis of report submitted by Assistant Labour Commissioner (Central) Lucknow, the Hon'ble Supreme Court directed to absorb parcel and Goods porter as permanent group D employees. Hon'ble Supreme Court in Writ Petition (C) No.443 of 1998 in re. All India Railway Parcel and Goods Porters Union Vs Union of India & others connected matters, by order dated 14.07.1999, was pleased to pass following order:-

*“The Assistant Labour Commissioner (Central) Lucknow to whom copies of all the previous orders passed in the case, shall be sent, shall conduct an enquiry as to whether the petitioners were working continuously and whether the job which they performing is of a perennial nature. The enquiry may be completed within three months from the date of receipt of this order and a report submitted to this court.”*

4. In another Writ Petition (C) No.121/2000 Howrah Parcel (Eastern Railway) Labour Contract Mazdoor Panchayat & Ors Vs.

Union of India & Ors. Hon'ble Supreme Court by order dated 28.04.2000 was pleased to pass following order:-

*“ issue notice returnable by the second week of July 2000.*

*In the meanwhile, the Assistant Labour Commissioner (Central) Howrah shall conduct an enquiry as to whether the petitioners were working continuously and whether the job which they performing is of a perennial nature. The enquiry may be completed within three months from the date of receipt of this order and a report submitted to this court.”*

5. Ultimately the matter was referred to three Judges Bench in the case of All India Railway Parcel and Goods Porters Union Vs Union of India & others reported in **2003 (11) SCC 590**. The Hon'ble Supreme Court after considering all the points issued certain guidelines. However, in order to circumvent the order passed by the Hon'ble Supreme Court in aforementioned case, the respondents issued letters dated 25.04.2005 and 01.12.2005 to the effect that only those parcel porters, who have worked for a period of 10 years and are having qualification upto 8<sup>th</sup> standard would be absorbed as regular employee, which was challenged through Writ Petition Nos. 640/2007, 239/2008 and 04.05.2008. The Hon'ble Supreme Court vide its order dated 17.11.2009 has been pleased to set aside the aforementioned letters dated 25.04.2005 and 01.12.2005. Hon'ble Supreme Court vide its judgment and order dated 22.08.2003 in the case of All India Railway Parcel and Goods Porters Union versus Union of India & ors gave guidelines for the absorption of contract parcel porters and has also given liberty to the concerned railway to take work of group D posts from these contract parcel porters. After passing of the aforesaid judgment, the Railway Board issued a Circular dated 25.04.2005 and 01.12.2005, directing all the parcel porters, who have continuous service of 10 years or more shall be absorbed as regular employees of Railway provided they are having requisite educational qualification as per railway recruitment rules for Group D employee. It is also averred in the O.A. that the respondents had never made any assessment for absorption of applicants on the basis of quantum of work, though the respondents have been communicating the applicants that there was no vacant post in Lucknow Division. On the other hand the respondents have been inviting the fresh application forms for appointment on the post of group D employees in Lucknow as well as in other divisions by virtue of Public Notice dated 17.12.2010. It is further pleaded in the O.A. that some other persons/ applicants constrained to file the I.A. No.29-30 of 2011 in Writ Petition No.433/1998 before the Hon'ble Supreme Court by absorbing the applicants on the post of parcel porters or any other post of Group D employees.

6. In the aforesaid I.A., the Hon'ble Supreme Court has been pleased to pass an order on 18.04.2011 directing the respondents that the applicants may be considered for those vacancies which are notified under group D employees, in accordance with law. Since the applicants were not considered for absorption/regularization they filed a Writ Petition No.81 of 2010 alongwith an I.A. No.2 of 2011 with the prayer to issue a direction, directing the Assistant Labour Commissioner (Central) Lucknow, to hold an enquiry regarding the years of working of the applicants as Goods Parcel Porters and whether the applicants were discharging duties of permanent and perennial nature and also to submit the report before the Hon'ble Supreme Court. On this application the Hon'ble Supreme Court pleased to pass as order dated 09.08.2012, whereby the application was allowed by directing the Assistant Labour Commissioner (Central) Lucknow to hold an enquiry as far as the Writ Petitioners are concerned.

7. In pursuance of the aforementioned direction the Assistant Labour Commissioner (Central) Lucknow held an enquiry with respect to the Writ petitioners in the presence of the Railway authorities and gave its report dated 17.09.2012 whereby the Assistant Labour Commissioner (Central) Lucknow gave the clear finding that the applicants were discharging duties of a permanent and perennial nature as goods parcel. Several contract parcel porters were not considered for absorption/regularization against Group D posts they filed Writ Petition No.179 of 2010. The Hon'ble Supreme Court by its judgment and order dated 26.02.2013 has been pleased to observe as under:-

*“Having regard to the submissions made on behalf of respective parties, we dispose of the I.A. as well as the Writ Petition by directing that an officer of the Railway be specially appointed to consider the cases of the Writ petitioners and if they are found to be eligible if, they satisfy the conditions concerned, they may be considered for regularization within six weeks from date, keeping in mind the earlier directions given by this Court.”*

8. The respondents failed to comply with the direction of the Hon'ble Supreme Court dated 13.11.2013 on the ground that there is no vacant post of parcel porters since 1995 and no recruitment on the said post has been made thereafter. The respondents also took the plea that the post of Parcel Porters is not equivalent to

group D post and thus, the applicants may not be absorbed on the post advertised by the railway. Ultimately, the respondents have rejected the claim of the applicant vide order dated 23.1.2014. In terms of the liberty granted by the Hon'ble Supreme Court in September 2015, the applicants approached the Hon'ble High Court by filing a Writ Petition No.7186 of 2015, which came to be disposed of vide judgment and order dated 17.12.2015 with liberty to approach this Hon'ble Tribunal. Hence, this O.A.

9. The respondents have contested the claim of the applicants by filing a detailed Counter Reply by stating that the order dated 23.1.2014 is a well reasoned and speaking order pursuant to the order of Hon'ble Supreme Court dated 13.11.2013 passed in Writ Petition (Civil) No. 181/2010 Santosh Prakash Yadav & Others Vs. Union of India & Others. The respondents have not disputed the facts of the case as narrated by the applicants in their O.A. They have further stated that the Hon'ble Supreme Court has been pleased to give direction to absorb only verified railway parcel porters working in the respective railway stations concerned as casual labour with further mention that the appointment in other Group 'D' posts cannot be linked with the issue of applicants' absorption as specific eligibility conditions and selection process for recruitment to such posts has been prescribed in the relevant rules. Lastly, they have stated that the claim of the applicants being devoid of any merit and is liable to be dismissed.

10. The applicants have filed Rejoinder Reply by negating the contentions made by the respondents in their Counter Reply by reiterating the averments already made in the O.A.

11. I have heard the learned counsel for the parties at length and have also gone through the pleadings available on record.

12. During the course of hearing, learned counsel for the applicant has produced a copy of judgment and order dated 3.9.2013 passed by Principal Bench in O.A. No. 1163 of 2011 and other connected O.As (Mukesh Kumar & Others Vs. Union of India & Others) by stating that the issue involved in this O.A. has already been settled by Principal Bench and the aforesaid judgment is squarely covered in the present case as well. On the other hand,

learned counsel for the respondents, after going through the aforesaid judgment, made a statement at the bar that the facts of the instant case and the cited case are similar and identical one and as such this O.A. may be disposed of in the light of the directions given in O.A. No. 1163 of 2011 and other connected O.A. decided by Principal Bench on 3.9.2013.

13. In the conspectus of the case, the non-consideration of the Applicants for absorption is in violation of the Apex Court's judgment in All India Railway Parcel & Goods Porters Union's case (supra) and the Railway Board's letter No.98/TC(F-4)/24/21 dated 25.4.2005 issued pursuant to the aforesaid judgment. By the aforesaid judgment of the Apex Court, they have been directed to regularize the services of the Railway Parcel Porters after their contract employment has been discontinued with effect from 31.3.2000 subject to only the conditions prescribed therein. The Hon'ble Supreme Court itself has clarified subsequently that the conditions prescribed therein and none else can be considered as a bar for their regularization. Moreover, the Apex Court again in its recent order dated 15.2.2013 in the interlocutory applications filed in the main Writ Petition (C ) No.433/1998 has directed the Respondents to consider all the eligible Parcel Porters for regularization of service. I have also noticed that the Respondents themselves have considered the case of absorption of a number of similarly placed Parcel Porters and regularized their services even after the judgment in Uma Devi's case. Therefore, the cases of the Applicants cannot be left out.

14. In view of the aforementioned discussions and with the consent of both the parties, this O.A. is disposed of with a direction to the respondents to consider the claim of the applicants for absorption/regularization in service as in the case of all other similarly placed Parcel Porters within a period of six weeks as ordered by Hon'ble Supreme Court in its aforesaid order dated 15.2.2013. No costs.

**(Dr. Murtaza Ali)**

**Member(J)**