

CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH

OA 244/2003

New Delhi, this the 29th day of July, 2004

Hon'ble Sh. Sarweshwar Jha, Member (A)

1. S/Sh. Surya Prakash Sharma, Gangman
S/o Sh. Bankey Lal
Office of Permanent Way Inspector
Northern Railway, Meerut Cantt.
2. Paras Ram, Jeep Driver
S/o Sh. Khem Chand
Office of the Asstt. Engineer
Northern Railway, Meerut.
3. Madho Ram, Trolleyman
S/o Sh. Keeroo Ram
Office of Assistant Divisional Engineer
Northern Railway, Meerut.
4. Ram Achhaiber, Gangman
S/o Sh. Kulbul
Office of Permanent Way Inspector
Northern Railway, Meerut.
5. Sh. Jai Prakash, Gangman
S/o Sh. Deep Chand
Office of Permanent Way Inspector
Northern Railway, Meerut Cantt.
6. Sh. Raksha Ram, Trolley Man
S/o Sh. Ram Saran
Office of Permanent Way Inspector
Northern Railway, Meerut Cantt.
7. Sh. Pirthi, Gangman
S/o Sh. Chiman
Office of Permanent Way Inspector
Northern Railway, Meerut Cantt.
8. Sh. Mool Chand, Gangman
S/o Sh. Mam Chand
Office of Permanent Way Inspector
Northern Railway, Meerut Cantt.
9. Sh. Balbeer, Gangman
S/o Sh. Hariya
Office of Permanent Way Inspector
Northern Railway, Meerut Cantt.
10. Sh. Palley, Gangman
S/o Sh. Nanda
Office of Permanent Way Inspector
Northern Railway, Meerut Cantt.
11. Sh. Sita Ram, Gangman
S/o Sh. Mangal
Office of Permanent Way Inspector
Northern Railway, Meerut Cantt.

-2/-

S. M.



12. Sh. Gian Chand, Trolley Man
S/o Sh. Kartar Singh
Office of Permanent Way Inspector
Northern Railway, Meerut Cantt.

... Applicants

(By Advocate Sh. P.S. Mahendru)

V E R S U S

Union of India through

1. The General Manager
Northern Railway
New Delhi - 1.
2. The Divisional Railway Manager
Northern Railway, State Entry
Road, New Delhi - 55.

... Respondents

(By Advocate Sh. V.S.R. Krishna)

O. R. D. E. R. (ORAL)

Heard.

2. The applicants have prayed for directions being given to the respondents to refix their pay which they should have drawn in regular scales of pay on their attaining temporary status equivalent to the pay drawn by their regular counterparts in similar posts. Prayer has also been made to direct the respondents to pay the difference of pay, HRA, CCA and DA etc. to the applicants consequent to refixation of their pay as prayed for.

3. The applicants have been in the employment of the respondents as group "D" employees, initially employed as casual labourers and who acquired temporary status as detailed in the statement as placed at Annexure A-1. It has been contended that the applicants are entitled to regular scales of pay, increment, DA, HRA, CCA etc with effect from the date of their acquiring temporary status.

S. P. M.

4. In this connection, the learned counsel for the applicants has referred to the decisions of this Tribunal as given in OA 1710/2003 on 21-4-2004 and has pleaded that the case of the applicants is covered under the decisions in the said OA and who could be extended the same benefits. On perusal of the orders of this Tribunal in the said OA, it is observed that a direction had been given in the said case to the respondents to carry out necessary examination and verification of the matter and to dispose it of, keeping in view the outcome of such verification/examination with reference to the orders as passed by this Tribunal in OA 2559/2000 / MA 3009/2000.

5. In consideration of the facts as submitted by the applicants and also as submitted by their learned counsel, I find it quite appropriate to dispose of this OA on the same lines as done in OA 1710/2003 vide the Tribunal's order dated 21-4-2004 and direct the respondents to carry out necessary examination and verification of the claims as have been made by the applicants in this OA and to dispose of the matter in the light of the result of the verification/examination carried out in the matter and also keeping in view the decisions of this Tribunal in OA 2559/2000 and MA 3009/2000 within a period of three months from the date of receipt of a copy of this order. Ordered accordingly. No costs.


(Sarweshwar Jha)
Administrative Member

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