

Central Administrative Tribunal
Principal Bench: New Delhi

O.A. No. 2981/2002

New Delhi this the 18th day of November, 2002

Hon'ble Dr. A. Vedvalli, Member (J)

Hriday Ram,
S/o Shri Ram Newal,
R/o The Manager, Govt. of India Press,
Press Canteen, Ring Road,
New Delhi.

Applicant

(By Advocate: Shri U. Srivastava)

Versus

The Union of India, through

1. The Secretary Ministry of Urban Development
Govt. of India, Nirman Bhawan,
New Delhi.
2. The Manager, Govt. of India Press,
Ring Road, Mayapuri, New Delhi.
3. The Secretary (Canteen),
Govt. of India Press,
Ring Road, New Delhi.

Respondents

ORDER (Oral)

Heard

2. The applicant, Hriday Ram, is aggrieved by the impugned order dated 30.4.2002 (Annexure A-1) issued by the respondents. He has filed the present OA claiming the following reliefs:

"In the facts and circumstances mentioned in the above paras it is therefore most respectfully prayed that the Hon'ble Tribunal may be graciously pleased to pass an order:

- a) To quash and setting aside the impugned orders issued by the respondents by vide their order No. C-18013/2/98-Vig./(30-V) dated 30.4.2002, by which the respondents have rejected the claim of the applicant for regularisation in services and thereafter:
- b) Directing the respondents to consider the case of the applicant for regularisation against the vacancy with

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in the sanctioned strength of 9 employees as the applicant has reached in the zone of consideration with the consequential benefits alternatively;

- c) To direct the respondents to consider the case of the applicant for the grant of temporary status and for extension of the benefits of DOPT instructions dated 7.6.88 read with DOPT instructions dated 10.9.93 in accordance with the relevant rules and instructions on the subject.
- d) To allow the present OA of the applicant with all other consequential benefits and costs.
- e) Any other fit and proper relief may also be granted."

3. When the matter was taken up for admission today, learned counsel for the applicant, Shri U. Srivastava, submitted that as mentioned in Para 4.8 of the OA, a post has fallen vacant due to the death of Shri Deep Chand after the said impugned order was passed on 24.7.2002 and that he can be considered against the said vacancy. He also submits that the applicant has submitted a representation to the respondents in this connection (Annexure A-13) after the death of Shri Deep Chand and that the said representation is still pending and still not been disposed of as on date. He also submits that he will be satisfied if the OA is disposed of with direction to the respondents to dispose of the said representation within a particular time frame to be fixed by the Court.

4. On a consideration of the matter, the OA is being disposed of at the admission stage itself with the following directions:



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a) The respondents are directed to examine the aforesaid representation submitted by the applicant treating the grounds raised in the present OA also as additional grounds in the light of the relevant rules, instructions and judicial pronouncements on the subject and dispose of the same with a detailed and speaking order in accordance with law under intimation to the applicant within two months from the date of receipt of a copy of this Order.

b) If any grievance survives thereafter, the applicant is granted liberty to approach this Tribunal again in fresh original proceedings, if so advised, in accordance with law.

5. OA is disposed of as above.

6. Registry is directed to send a copy of this OA alongwith a copy of this order to the Respondents.



(Dr. A. Vedavalli)
Member (J)

Mittal