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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

OA NO. 164/2002

This the 18th day of September, 2002

HON'BLE SH. KULDIP SINGH, MEMBER (J)

Sh. Gajanandan, S/o Sh. Tirkha Singh  
R/o H.No.243, Malkapur Kuie  
Rangpuri Pahadi  
New Delhi - 37.

...Applicant

(By Advocate: Sh. U.Srivastava)

Versus

1. Union of India : through  
The Secretary  
Ministry of Human Resources and Development  
Deptt. of Culture, Shastri Bhawan  
New Delhi.
2. The Director General  
Archaeological Survey of India  
Janpath, New Delhi.
3. The Director of Science (A.S.I.)  
Archaeological Survey of India  
New Cantt Road, Dehradun (Uttaranchal).
4. The Dy Superintendent  
Archaeological Chemist  
Sultan Gauri Makbara  
Rangpuri Pahadi, New Delhi.

...Respondents

(By Advocate: Sh. Ajesh Luthra proxy for  
Sh. D.S.Mahendru)

ORDER (ORAL)

By Sh. Kuldip Singh, Member (J)

Applicant has filed this OA seeking the relief for grant of temporary status and regularisation thereafter in accordance with the relevant rules and instructions on the subject.

2. The facts of the case detailed by the applicant in the OA are that applicant has been working as casual labourer on daily wage basis with usual breaks from 3.8.1992. However, counsel for applicant admits that on the day when the scheme issued by the DOPF dated 10.9.93 for grant of temporary status was promulgated, the applicant was not on the rolls of the



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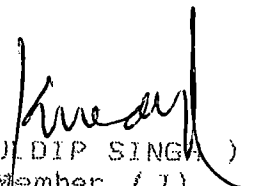
department. So the applicant cannot be granted temporary status in view of the judgment given in case of Union of India vs. Mohan Pal reported in 2202 (2) ATJ 215.

3. However, counsel for applicant submits that the Hon'ble Supreme Court while disposing of the case had also made an observations as under:-

"Of course it is up to the Union Government to formulate any scheme as and when it is found necessary that the casual labourers are to be given temporary status and later they are to be absorbed in Group 'D' post."

4. Learned counsel for applicant submits that on the basis of this observation this OA may be disposed of. Keeping in view these submissions as made by the counsel for the applicant, I dispose of this OA holding that the applicant, as per existing scheme, is not entitled for confirmment of temporary status. However, if the Union of India formulates any scheme on some future date then the case of the applicant could be considered as per the observations made by the Hon'ble Supreme Court. OA stands disposed of.

*from Mr. for P.S. order*

  
( KULDIP SINGH )  
Member (J)

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