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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH
Original Application No. 459 of 2002

New Delhi, this the 22nd day of February, 2002

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

Shri Om Prakash Maurya,
S/o Late Shri Munna Lal Maurya,
Working as casual labour on Daily Wages
in the office of PAO (Ors) JRC Bareilly Cantt.
Under C.D.A. (Army) Meerut.
R/o 298 Bihari Pur, Civil Lines,
Bareilly.
(By Advocate: Shri V.P.S. Tyagi)

Versus

1. Union of India through
Secretary, Ministry of Defence,
South Block, New Delhi.
2. The Finance Advisor,
Ministry of Defence, (Finance Division),
New Delhi.
3. The Controller General of Defence Accounts
West Block-V R.K.Puram,
New Delhi.
4. The Controller General of Defence Accounts
Meerut Cantt.
5. Officer Incharge PAO (ORS)
Jat Regt. Centre (JRC),
Bareilly Cantt.

-RESPONDENTS

O R D E R (ORAL)

By Hon'ble Dr. A. Vedavalli, Member(J)

Heard Shri V.P.S. Tyagi, learned counsel for the applicant.

2. The applicant, Shri Om Prakash Maurya, is a casual labourer under respondent no.4. He was given temporary status w.e.f.1.9.1993 by an order dated 9.6.1994 Annexure A-3 (page 12 of the Paper Book) alongwith several other casual labourers. He is placed at Serial No.11 in the said list. Learned counsel also submits that several casual labourers who are junior to the applicant have approached this Tribunal earlier in OA

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2488/1999 (Lakshman and Others) and the said OA was disposed of by an order dated 11th October, 2000 (Annexure A-4). He further submits that pursuant to the said order of this Tribunal, the respondents have issued an order dated 23.1.2002, regularising the services of 11 casual labourers having temporary status (Annexure A-1). Learned counsel contends that persons at S1. Nos. 9, 15, 18, 20, 21, 22, 23, 24, 25, 26 and 30 who figure in the Nominal Roll of casual labourers at Annexure A-3 (page 15 of the Paper Book) who were among the applicants in the aforesaid OA No. 2488/1999 are junior to the applicant and the respondents ought to have considered the present applicant also for regularisation. The present OA has been filed by the applicant seeking a direction to the respondents to consider his case for regularisation of his services and permanent absorption in Group 'D' post on identical basis as that of the applicants in the aforesaid OA who are similarly situated and whose cases were allowed by this Tribunal ⁱⁿ ~~in~~ the case of Lakshman and Others (Supra) which are being considered by the respondents.

3. Learned counsel also states that the applicant has not submitted any representation till now regarding his grievance and has come straight away to this Tribunal in view of urgency of the matter. He prayed that the OA may be disposed of with a direction to the respondents at the admission stage itself.

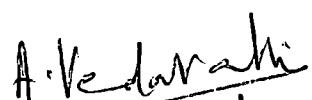
4. On consideration of the matter, I am of the view that this OA can be disposed of at the admission stage itself.



4. The applicant is given two weeks' time from the date of receipt of this order to submit a self-contained and comprehensive representation to the respondents for redressal of his grievances. In the event such representation is submitted by the applicant within the stipulated time, respondents are directed to consider the same on merits in the light of the relevant Rules and instructions and dispose it of under intimation to the applicant by passing a detailed and speaking order within one month from the date of receipt of the said representation.

5. In case any grievance still survives thereafter, the applicant is, at liberty, to approach this Tribunal in fresh original proceedings, if so advised, in accordance with law. No costs.

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



(Dr. A. Vedavalli)
Member (J)

/kd/