

Item No.7

13.8.2007

MA 1162/2007

CA 1214/2002

Present: Sh. Yogesh Sharma, counsel for applicant
Sh. Vijay Pandita, counsel for respondents

MA 1162/2007

Present MA has been filed by applicants seeking enforcement of orders dated 28.5.2002 as well as 07.8.2003 passed in MA 1263/2003. As per reply respondents have made categorical averment that as & when vacancies are filled up, cases of applicants shall be considered as per Government instructions. It is undeniable fact that DoP&T OM dated 10.9.1993 issued on said subject is applicable and remains in force, which requires three out of two vacancies in Group-D, in respect of offices, where casual labourer are working would be as per extent Recruitment Rules. It is further undeniable that the applicants have been working in said capacity since the year 1989 and were granted temporary status and as on date they remain to occupy the post and work in said capacity.

2. After hearing learned counsel for parties, reiterating orders dated 28.5.2002 as well as 07.8.2003 besides noticing respondents' afore-mentioned statement, present MA is disposed of with direction that respondents should consider as & when they have vacancies and they intend to fill up the vacancies on regular basis in said cadre in terms of aforesaid DoP&T OM dated 10.9.1993 meticulously & vigorously. It is expected that respondents would take compassionate view in the matter as applicants are working since almost two decades.

3. With above directions, present MA stands disposed of.


(Mukesh Kumar Gupta)
Member (J)

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