

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.1838/2001

Hon'ble Shri Shanker Raju, Member (J)

New Delhi, this the 27th day of July, 2001

O.A.No.1838/2001:

Vinod
s/o Nanka
r/o Staff Quarters
Military Farm No.2
Mawana Road
Meerut. Applicant

O.A.No.1839/2001:

Manoj
s/o Shri Bhagwati
r/o H.No.639, Block-F
Ganga Nagar
Mawana Road
Meerut. Applicant

O.A.No.1837/2001:

Manoj
s/o Shri Dharampal
c/o Shri Krishan Pal Singh
r/o Village Lalsana
P.O. Rajpura
District Meerut (UP). Applicant
(Advocate for the applicants: Shri B.S.Gupta, through
Shri S.K.Gupta)

Vs.

1. Union of India
through Secretary
Ministry of Defence
South Block
New Delhi.
2. Dy. Director General (Military Farm)
QMG Branch Army Headquarter
R.K.Puram, New Delhi.
3. Officer Incharge
D.A.D.M.F. (Military Farms)
Mawana Road, Meerut Cantt.
Meerut.
4. Commanding Officer
Central Command
Lucknow. Respondents in all the OAs

O R D E R(Oral)

By Mr. Shanker Raju, Member (J):

As a common question of law involved in all the three OAs, they are being disposed of, at the admission stage, by this common order.

2. The applicant, at the outset, has placed reliance on the decision of this Court in OA No.1053/2001, decided on 3.5.2001 (Suraj Vs. UOI & Others), wherein the applicant has been working as Farm Hand on daily wage basis, directions have been issued to the respondents, even without issuing notices, to consider the claim of the applicant therein for the grant of temporary status in accordance with the eligibility criteria laid down in DoPT's Scheme dated 10.9.1993 and pass a detailed and speaking order within three months from the date of receipt of a copy of the order. Further liberty has also been given to the applicant to approach this Tribunal in case any substantial grievance survives.

3. It has been stated, at the Bar, by the learned counsel for the applicant that in compliance with the above directions, the applicant therein has already been accorded temporary status. The applicant has drawn our attention to the seniority list of Daily Wagers wherein applicant, Shri Manoj s/o Shri Bhagwati, who had worked 247 days in the year 1996 and another applicant, Shri Manoj s/o Shri Dharam Pal, who had worked 360 days in the year 1999 and another applicant, Shri Vinod s/o Shri Nanka, who had worked 294 days in the year 1997 and pertaining to Manoj s/o Shri Dharmpal it is stated that he had worked more than 240 days in the year 2000. The applicants have also stated that in view of the decision of the Hon'ble Apex Court in Union of India and Anr. Vs. Sarjuk Prasad and Anr., decided on 9.8.2000, wherein it has been held that the DoPT's Scheme dated 10.9.1993 is an on going scheme.

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4. In view of the claim made above, ends of justice would be met, if directions are issued to the respondents by disposing of this OA, at the admission stage itself, without issuing notices to the respondents to consider the claim of the applicants for accord of temporary status in accordance with the DoPT's Scheme dated 10.9.1993 and subject to the applicants being qualified to the eligibility criteria laid down therein. The respondents shall act expeditiously and pass a detailed and speaking order within a period of three months from the date of receipt of a copy of this order. It goes without saying that in case the applicants will have any grievance, if so advised, they are at liberty to assail the order passed by the respondents in accordance with law.

5. Registry is directed to send a copy of the OA along with a certified copy of this order to the respondents and a certified copy of this order should also be kept in OA No.1839/2001 and OA No.1837/2001.

S. Raju
(SHANKER RAJU)
MEMBER(J)

/rao/