

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

OA NO. 2062/2001

This the 21st day of October, 2002

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

Shri Anuranjan Kumar Jha,  
S/o Shri Prabhu Nath Jha,  
Working as Daily Wager,  
Income Tax Settlement Commission,  
Department of Revenue,  
Ministry of Finance, Govt. of India,  
4th Floor, Lok Nayak Bhawan,  
Khan Market, New Delhi

...Applicant.

(By Advocate: Sh. K.K. Patel)

Versus

1. Union of India Through  
The Secretary,  
Department of Revenue, North Block,  
New Delhi.
2. The Administrative Officer Through  
Income Tax Settlement Commission,  
Department of Revenue,  
Ministry of Finance, Govt. of India,  
4th Floor, Lok Nayak Bhawan,  
Khan Market, New Delhi.

(By Advocate: Ms. Meenu Mainee)

...Respondents.

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

Applicant has filed this OA seeking a directions to the respondents to consider the case of the applicant for grant of temporary status from the date he is entitled as per scheme dated 10.9.93 issued by DOPT and further made a request that respondents be directed to consider regularisation for Group 'D' post.


2. Applicant had alleged that he was engaged as a casual labour on daily wage basis w.e.f. 1.8.2000 and he continued to work till 10.8.91. However, at the outset when the case was taken up for arguments, counsel for applicant made a statement in view of the judgment of Hon'ble Supreme Court in case of Mohan Pal vs. Union of India, wherein Hon'ble Supreme Court has held that the scheme issued by DOPT dated 10.9.93

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was only one time scheme and the employee who has to be given a benefit of conferment of temporary status has to be on rolls on the date of issue of scheme itself. Since the applicant was not there so the applicant did not press for this relief and wanted to withdraw the same. Accordingly, applicant was allowed to withdraw the relief as claimed by him. However, applicant prayed that in case the work which the applicant is performing is available with the respondents then the applicant may be reengaged in preference to freshers and juniors in accordance with rules and judicial pronouncements on the subject.

3. This prayer of the applicant seems to be quite bonafide prayer and if at all the work which the applicant has been performing becomes available with the respondents then they can engage the applicant in preference to freshers and juniors in accordance with the rules and judicial pronouncements, if any, on the subject.

  
( KULDIP SINGH )  
Member (J)

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