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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.216/2001
M.A.NO.190/2001

Friday, this the 31st day of August, 2001

Hon'ble Shri Shanker Raju, Member (Judl)

1. Shri Gopal Singh
S/O Shri Saru Ram
Aged about 32 years
2. Shri Keshav Ram
S/O Shri Bhoi Ram
Aged about 35 years

(Both the applicants are for the time being posted in Delhi from U.P. and are staying at 125, Mohamedpur, New Delhi. All are working as Casual Labourer (Temporary Status), under Regional Director (NR).
..Applicants

(By Advocate: Shri S.S.Tewari)

Versus

1. Union of India
through
Secretary, Dept of Atomic Energy,
Atomic Minerals Division,
Room No.145-A, South Block,
New Delhi.
2. Regional Director (Northern Region)
Dept of Atomic Energy
Atomic Minerals Division
West Block-7, New Delhi-66.
3. Chief Administrative & Accounts Officer
Dept of Atomic Energy
Atomic Minerals Division
1-10-153-156, Begumpet,
Hyderabad-500016.

..Respondents

(By Advocate: Shri Madhav Panikar)

O R D E R (ORAL)

Heard the learned counsel for both the parties.

2. MA-190/2001 for joining together in a single petition is allowed.

3. The applicants in the present OA were accorded temporary status and their grievance is that junior persons have been regularised on work charge post. The

learned counsel for the applicants states that one Shri Jawahar Lal, who was admittedly junior to the applicants, has already been regularised. He has placed reliance on a decision of this Court in OA-1259/2000 with other connected OA, decided on 25.5.2001 (Kunwar Singh & Ors. Vs. Union of India & Ors.) in which this Tribunal has issued directions to the respondents to verify the post of the applicants therein who are senior to Jawahar Lal and consider regularisation of their services from the same date when Jawahar Lal was so regularised. They were also accorded the consequential benefits. The applicants, according to their learned counsel, were discriminated by the respondents as their juniors have been accorded the benefits which is not permissible under Articles 14 & 16 of the Constitution.

4. On the other hand, Shri Madhav Panikar, learned counsel for the respondents by referring to the decision of the High Court in CWP-5046/97 dated 16.9.1998, has contended that in that OA, the respondents had pointed out that there is an All India seniority for daily rated workers.

5. After consideration of the matter and after perusing the material placed on record, I feel it proper to dispose of this OA with a direction to the respondents to verify the claim of the applicants whether they are senior ^{to} ~~to~~ ^{to} Jawahar Lal and in the event it is found that they ^{are} ~~are~~ ^{are} senior ^{to} ~~to~~ ^{to} Jawahar Lal, they should be accorded regularisation from the date when Jawahar Lal was so regularised. The applicants in that event shall also be

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entitled to all consequential benefits. The aforesaid directions shall be complied with by the respondents within a maximum period of three months from the date of receipt of a copy of this order.

6. The present OA is disposed of in the aforesaid terms. No costs.

S. Raju
(Shanker Raju)
Member (J)

/sunil/