

Central Administrative Tribunal  
Principal Bench, New Delhi

O.A.No.2279/2001  
M.A.No.1907/2001

with

O.A.No.2384/2001

Hon'ble Shri Shanker Raju, Member(J)

Friday, the 12th day of July, 2002

O.A.No.2279/2001:

1. Shri Ramesh  
s/o Shri Surat Singh  
r/o 462/A, MCD Colony  
Samaipur  
Delhi.
  2. Shri Jaipal  
s/o Shri Surat  
r/o 462/A MCD Colony  
Samaipur  
Delhi.
  3. Smt. Sarbati  
widow of late Sh. Goverdhan  
r/o H/4/1707, Jahagirpuri  
Delhi.
  4. Shri Mukesh  
s/o Shri Satbir  
r/o Village Mundka  
H.No.8665/16, Delhi - 41.
  5. Shri Raj Kapoor  
s/o Shri Ram Dass  
H.No.278, Village Nanglipona  
P.O. Alipur, Delhi - 36.
  6. Shri Sajjan Kumar  
s/o Shri Richpal  
r/o Village Nanglipona  
P.O. Alipur, Delhi - 36.
  7. Shri Bakshish  
s/o Sh. Suraj Bhan  
H/4/1647, Jahagirpuri  
Delhi - 33.
  8. Shri Om Parkash  
s/o Shri Mange Ram  
r/o H.No.197, C-I, Savitri Nagar  
Delhi - 17.
- ... Applicants

O.A.No.2384/2001:

Ramesh Chander  
s/o Ram Chander  
r/o H.No.148, Khera Kalan  
Delhi - 110 082.

... Applicant

(By Advocate: Sh. D.R.Gupta)

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Vs.

1. Chief Secretary to the  
Govt. of NCT of Delhi  
Players Building, I.P.Estate  
New Delhi.
  2. Directorate of Education  
through its Director  
Old Sectt., Alipur Road  
Delhi.
  3. Dy. Director of Education (Sports)  
Chattarpal Stadium  
Model Town  
Delhi.
- ... Respondents  
in both the OAs
- (By Advocate: Sh. Rajan Sharma, through Shri Vinod  
Rathi)

O R D E R (Oral)

By Shanker Raju, M(J):

The issue involved, in both these OAs, is identical, they are being disposed of by this common order.

2. In view of the decision of the Apex Court in Union of India & Another Vs. Mohan Pal, etc., 2002(4) Scale 216 wherein it has been held that the DoPT's Scheme of 1993 for accord of temporary status is not an ongoing Scheme, the claim of the applicants who were admittedly not been engaged with the respondents before the relevant date i.e., 1.9.1993, they are not entitled for being accord of temporary status. However, the claim of the applicants in engaging them in preference to juniors and outsiders on availability of work with the respondents, cannot be denied to them.

3. On the issue of re-engagement of the applicants, I have heard the learned counsel for both the parties. In view of the aforesaid discussion, though the applicants are not entitled for accord of

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temporary status under the DoPT's Scheme of 1993, the OA is disposed of with a direction to the respondents to consider the claim of the applicants for re-engagement in preference to juniors and outsiders and on availability of work subject to the relevant instructions.

4. Both the OAs are accordingly disposed of.  
No costs.

(Shanker Raju)  
Member(J)

/rao/