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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 3171/2001
MA 1532/2002

New Delhi, this the 16th day of September, 2002

Hon'ble Sh. V.K.Majotra, Member (A)

1. S/Sh. Vijay Pal Singh S/o Sh. Rampal
2. Sunil Kumar, S/o Sh. Chander Gulzar
3. Srivrat Kumar, S/o Sh. Dharanvir Singh
4. Dev Kumar, S/o Late Sh. Santosh Kumar
5. Ashok Kumar, S/o Sh. Jagmal Singh
6. Vimal Singh S/o Sh. Prem Singh Aswal
7. Azad Singh, S/o Sh. Chunni Lal
8. Jitender Kumar S/o Sh. Suman Kumar
9. Rakesh Kumar S/o Sh. Ramphal Singh
10. Amar Singh, S/o Sh. Prem Das
11. Jai Chand S/o Sh. Tara Chand
12. Chhedi Lal, S/o Sh. Ram Manohar Lal

All applicants C/o House No.1228
Sector 7, R.K.Puram, New Delhi.

...Applicants
(By Advocate Sh. M.L.Chawla)

V E R S U S

1. Union of India through
Secretary, Govt. of India
Ministry of Defence
South Block, New Delhi.
2. Controller
Defence Accounts (Air Force)
West Block-V, R.K.Puram
New Delhi - 110 066.
3. Deputy Controller Defence Accounts (Air Force)
Subroto Park, New Delhi - 110 010.

...Respondents
(By Advocate Sh. B.K.Berera)

O R D E R (ORAL)

By Hon'ble Sh. V.K.Majotra, Member (A),

MA 1532/2002 has been filed in OA 3171/2001 seeking substitution of prayer 8 (b) of the OA. Ld. counsel of the respondents drawing attention to their reply to MA 1532/2002 stating that in terms of Hon'ble Apex Court's judgement in **Mohan Pal Vs. Union of India** (2000 (4) SCALE 216) the Scheme of 1993 for grant of temporary status and regularisation of casual workers has been declared as not an on-going Scheme

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and thus there is no justification in allowing substitution of prayer 8 (b) as well as for continuation of interim relief passed on 23-11-2001.

2. Ld. counsel of the applicant stated that whereas he agrees that in terms of Hon'ble Supreme Court's judgement stated above, 1993 Scheme of conferring temporary status has been treated to be a one time Scheme and not an on-going Scheme, he would like to seek regularisation of the applicants in terms of the existing instructions on terms and conditions for employment and regularisation of casual workers other than 1993 Scheme. On being told that whereas the entire OA related to seeking temporary status for the applicants, substitution of prayer cannot be allowed. He sought withdrawal of the OA with liberty to file fresh OA and also protection for a period of two weeks.

3. OA is dismissed as withdrawn with liberty. Respondents shall maintain status-quo in respect of the employment of the applicants for the period of two weeks from tomorrow.

V.K. Majotra

(V.K. MAJOTRA)
MEMBER (A)

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