

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

O.A.No.3216 of 2001

New Delhi, this the 29th day of November, 2001.

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

Udai Raj, S/o Shri Sant Ram
R/o S-221/11, Rahul Gandhi Camp
Air India Colony, Basant Vihar,
New Delhi.
(By Advocate: Shri U.Srivastava)

Applicant.

Versus

The Navodaya Vidyalaya Samiti, through

1. The Director,
Navodaya Vidyalaya Samiti
Indira Gandhi Stadium
New Delhi.

2. The Dy. Director
Navodaya Vidyalaya Samiti
Indira Gandhi Stadium
New Delhi.

Respondents.

O R D E R (ORAL)

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

Heard learned counsel for the applicant.

2. Applicant has challenged termination of his services vide order dated 12.7.2001 (Annexure A-1) instead of granting him temporary status. The applicant who was initially engaged as a part time Mali vide Annexure A-2 dated 24.5.1995 and was later on selected and appointed on the basis of recommendations of the Selection Committee to the post of Peon-cum-Mali on daily wage basis w.e.f. 26.4.96 for a period of 89 days at the rate of 62.60 per day (Annexure A-5). Learned counsel stated that the applicant was continued in the post of Peon-cum-Mali, thereafter, with small artificial breaks till 11.7.2001. Suddenly his request for extension of services was turned down. Learned counsel drew my attention to Annexure A-7 which is a reproduction of the records of the respondents to establish that the

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6 (3)

applicant had worked for 293, 287, 304 days during 1996-97, 1997-98, 1998-99 respectively that is more than 240 days in each year. Learned counsel states that in terms of the provisions of "Casual Labourers (Grants of Temporary Status and Regularisation) Scheme" of Government of India , 1993" (Annexure A-9) respondents should consider the case of the applicant for granting temporary status to him. The applicant has sought quashing and setting aside the termination order dated 12.7.2001 (Aannexure-A-1) and applicant's reinstatement as also consideration for grant of temporary status with all consequential benefits. According to the applicant, his representation against the termination order dated 31.7.2001 (Annexure A-8) at the hands of respondents has not been considered.

3. Having regard to the claims made, in my view, ends of justice would be duly met at this stage itself without issuing notice to the respondents and if they are directed to treat this OA as his representation and consider his reinstatement forthwith and also his request for grant of temporary status in terms of the scheme at Annexure A-9 by passing a reasoned and speaking order within a period of one month from the date of communication of this order and I order accordingly.

4. OA is accordingly disposed of in the above terms. No costs.

V.K. Majotra
(V.K. Majotra) 29.11.2001
Member(A)