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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No.879 of 2001

New Delhi, this the 1st day of August, 2001

HON'BLE MR.KULDIP SINGH, MEMBER(JUDL)

1. Ashok Kumar-I, S/o Shri Chunni Lal,
R/o D-2/B-14, Moti Bagh-I,
New Delhi.

2. Ashok Kumar-II, S/o Shri Kalu Ram,
R/o D-2/B-13, Moti Bagh-I,
New Delhi.

-APPLICANTS

(By Advocate: Shri S.K.Gupta proxy counsel
of Shri B.S.Gupta)

Versus

1. Union of India, through Secretary,
Ministry of Law, Justice & Company Affairs,
Shastri Bhawan, New Delhi.

2. Joint Secretary, Official Language Wing,
Ministry of Law, Bhagwan Dass Road,
New Delhi.

-RESPONDENTS

(By Advocate: Shri K.R.Sachdeva)

O R D E R (ORAL)

By Hon'ble Mr.Kuldip Singh, Member(Judl)

The applicant has filed this OA seeking several reliefs which are mentioned in para 8 of the OA. The case of the applicant is that since that they had worked as a casual labourer during 1994-95, 1995-96 and 1996-97 and have worked for more than the required number of days, as such and they are entitled for conferment of temporary status. Learned counsel for the applicant states that the applicants had made a representation to the Department for conferment of temporary status but Respondents have neither decided it nor have conferred temporary status upon applicants.

2. Respondents in their counter affidavit have also submitted that both the applicants had made a joint representation on 18.12.2000 which is still under consideration. Learned counsel for the respondents has


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also taken an objection that the Scheme dated 10.9.93 issued by the DoPT as one time scheme and the applicants are not entitled to the benefits of the said scheme. However, during the course of the arguments, learned counsel for the respondents has referred to the Supreme Court judgement in the case of Union of India Vs. Sarju Prasad and Another in Civil Appeal No.504-505 of 1998. Having regard to the Supreme Court judgement with regard to the scheme, learned counsel for the applicant submits that in view of the judgement of the Hon'ble Supreme Court. Respondents can not take up an objection that the scheme dated 10.9.93 is one time scheme.

3. Further it is submitted that respondents may be directed to dispose of the representation made by the applicants as the same is pending for quite a long time with the respondents. representation is still under consideration.

4. Considering the arguments of the parties, I find that this OA can be disposed of with a direction to the respondents to dispose of the representation filed by the applicants by passing a reasoned and speaking order according to the rules and instructions and judicial pronouncements on the subject particularly, within three months from the date of receipt of a copy of this order. No costs.


(KULDIP SINGH)
MEMBER(JUDL)

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