

(JL)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA 793/1999

New Delhi, this the 8th day of December, 2000

Hon'ble Mr. Justice V.Rajagopala Reddy, VC (J)

In the matter of :-

Sh. Dil Bahadur Thapa  
S/o Sh. Hari Singh  
R/o A-78, Alaknanda Camp  
Kalkaji, New Delhi - 110019

..Applicant

(By Advocate : Dr. Surat Singh)

V E R S U S

1. The Director General  
Archaeological Survey of India  
Near National Museum  
Janpath, New Delhi.
2. Superintending Archaeologist  
Archaeological Survey of India  
Delhi Circle  
Safdarjung Tomb  
New Delhi - 110003.

...Respondents

(By Advocate : Sh. R.P. Aggarwal)

O R D E R (ORAL)

Justice V.Rajagopala Reddy,

It is not in controversy that the applicant has been working with Circle Office of the Archaeological Survey of India for quite a long time as Casual Labourer and that he has been conferred with temporary status in 1993. The applicant also submits that he was called for interview in 1994 for the post of Chowkidar, but he was not interviewed. The applicant, therefore, claims regularisation against the regular group 'D' post.

2. It is, however, the case of the respondents that the applicant had not appeared in interview and that his case would be considered for appointment against the regular vacancies in group 'D' posts in future, in terms of the OM dated 10-9-93.

(AP)

3. It cannot be disputed that the applicant is entitled for appointment against the regular group 'D' post in terms of the OM dated 10-9-93 as he was already conferred temporary status. The applicant has invited my attention to the judgment of the Tribunal in OA 429/1999 and OA 514/1999 R.P.Mandal & Ors. Vs. Secretary, Deptt. of Culture, Ministry of Human Resources and Development and Ors., where the directions has been issued to the respondents to consider the question of creation of more group 'D' posts and order to accommodate all Casual Labourers who have already been conferred with temporary status.

4. In view of the above orders of the Tribunal, this OA is also disposed of with the same directions to the respondents.

*V.Rajagopala Reddy*  
(V.Rajagopala Reddy)  
Vice-Chairman (J)

/vikas/