

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

CP NO. 313/2002 IN
OA NO. 1550/1999

This the 29th day of January, 2003

HON'BLE SH. V.K. MAJOTRA, MEMBER (A)
HON'BLE SH. KULDIP SINGH, MEMBER (J)

1. All India CPWD (MRM) Karamchari
Sangathan (Regd.) its
President Sh. Satish Kumar,
34-D, D.I.Z. Area, Sector-4,
Raja Bazar,
New Delhi-1.
2. Shambhu Nath
Beldar,
H Division, CPWD,
Mahadeo Road,
New Delhi.

(By Advocate: Ms. Shilpa Chohan proxy for
Sh. Naresh Kaushik)

Versus

1. Sh. M. Shankar
Secretary,
Ministry of Urban Affairs & Employment,
Nirman Bhawan,
New Delhi-110001.
2. Sh. J.N. Bhawani Prasad,
Director General (Works),
C.P.W.D. Nirman Bhawan,
New Delhi-110001.

(By Advocate: Sh. A.K. Bhardwaj)

ORDER (ORAL)

By Sh. V.K. Majotra, Member (A)

OA-1550/99 was disposed of vide order dated 15.11.2000
with the following observations/directions to the respondents:-

"In the circumstances, we feel it is a fit case for disposing of the OA with appropriate directions to the respondents. We do so accordingly. We direct the respondents to verify the particulars given by the applicants and consider regularisation of their services in their turn from the dates vacancies are available in accordance with the rules and instructions on the subject issued by the Government from time to time. There shall be no order as to costs."

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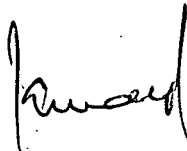
2. As such respondents were required to verify the particulars of the applicant and consider them for regularisation of their services in their turn from the dates vacancies were available in accordance with the rules and instructions on the subject.

3. Learned counsel drew our attention to Annexure-1 dated 1.3.2002 with the counter reply of the respondents stating that 4 applicants, namely, Sh. Ram Basant, Sh. Devanand, Sh. Mohan Lal and Sh. Shambu Nath were found to be fit for regularisation by the DPC held on 12.12.2001. However, their regularisation was to be made subject to regularisation from the Ministry of Labour for waiving requirement of sponsorship by Employment Exchange at the time of initial engagement and lifting of ban on direct recruitment by Ministry of Finance.

4. She has further drawn our attention to Annexure -2 dated 21.6.2002 and Annexure-3 dated 7.11.2001 annexed with the rejoinder to the effect that services of two persons, namely, Sh. Govind Singh and Sh. Birender Singh Rawat were regularised by the respondents retrospectively without resorting to the conditions attached with the regularisation of the four applicants referred to above. Respondents should not have accorded a discriminatory treatment to the four applicants mentioned above when they had not resorted to such conditions in respect of certain other candidates. Respondents are allowed a period of 15 days more time to regularise the applicants, namely, Sh. Ram Basant, Sh. Devanand, Sh. Mohan Lal and Sh. Shambu Nath without insisting upon the requirement of sponsorship by Employment

22

Exchange and lifting of ban on direct recruitment. CP is disposed of. Applicant shall have liberty in case they do not comply with the above directions.



(KULDIP SINGH)
Member (J)



(V.K. MAJOTRA)
Member (A)

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