

CENTRAL ADMINISTRATIVE TRIBUNA.
PRINCIPAL BENCH: NEW DELHI

C.P. No. 206/1996
in
O.A. No. 2149/1995

New Delhi this the 9th Day of October, 1996

Hon'ble Shri A.V. Haridasan, Vice Chairman, (J)

Hon'ble Shri K. Ramamoorthy, Member (A)

1. Brij Lal Belwal,
Son of Shri B.N. Belwal,
R/o G-610 Srinivaspuri,
New Delhi-110 065.
2. Shyam Bihari,
S/o Shri T. Mehto,
R/o C-07 Krishi Vihar,
New Delhi-110 048.
3. Raghu Kumar,
S/o Shri S.R. Sughar,
R/o Block 9/2A, Kalawadi Marg,
New Delhi.

Applicants

(By Advocate: Shri Yogesh Sharma)

Vs

1. Shri S.B. Mathur,
The Regional Director (NR)
Dept. of Company Affairs,
10/499-B, Alliganj,
Khalasi Line,
Kanpur (U.P.)
2. Shri V.S. Galgali,
The Registrar of Companies,
NCT Of Delhi and Haryana,
Paryavaran Bhawan
B-Block, IIInd Floor,
CGO Complex,
Lodi Road,
New Delhi-110 003.

Respondents

(By Advocate: Shri B. Lall)


O R D E R (Oral)


Hon'ble Shri A.V. Haridasan, Vice Chairman (J)

The respondents have filed reply. In the reply statement they have stated that the petitioners have been re-engaged and also considered for grant of temporary status but could not be granted

temporary status as they do not fulfil the requirement of the Scheme.

2. We find that there is substantial compliance of the order. The counsel of the petitioners says that the petitioners have actually completed service of 206 days not only in a year but in 2-3 years. The stand of the counsel of the respondent that they are not eligible for temporary status as they have not continuously served for 206 days. The continuous service according to the petitioner should include even the gap not for reasons attributable to him. If the respondents have interpreted the Scheme and if the petitioners are aggrieved by such interpretation the petitioners are free to assail the correctness of the decision taken by the respondents in an application instituted separately in that regard. In a earlier petition such disputed claim cannot be adjudicated. Therefore, the CP is dismissed and notice discharged. It is made clear and it will be open for the petitioners to seek appropriate relief if they are aggrieved by the decision taken by the respondents in regard to the decision.


(K. Ramamoorthy)
Member (A)


(A.V. Haridasan)
Vice Chairman (J)

Mittal