

(P3)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

D.A./T.A. No. 1640/95 /19 Decided on: 4.10.96

Raj Kumar & Ors. APPLICANT(S)
(By Shri Jasbir Singh Advocate)

VERSUS

UOI & Ors. RESPONDENTS
(By Shri V.P. Uppal Advocate)

DR. RAM

THE HON'BLE SHRI S.R. ADIGE, MEMBER (A)

THE HON'BLE ~~S. R. ADIGE~~/DR. A. VEDAVALLI, MEMBER (J)
)

1. To be referred to the Reporter or not? Yes
2. Whether to be circulated to other Benches of the Tribunal? No

Mr. Adige
(S.R. ADIGE)
Member (A)

(14)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH
NEW DELHI.

O.A. No. 1640/95

New Delhi: this the 4th day of October, 1996.

HON'BLE MR. S. R. ADIGE, MEMBER (A).

HON'BLE DR. A. VEDAVALLI, MEMBER (J)

1. Raj Kumar,
S/o Sh. Jai Lal,
R/o WZ-21, Vill. Tedapur,
New Delhi.

2. Bijender Singh,
S/o Sh. Ram Kala,
R/o H.No. 73, Vill. Safiabad,
P.O. Nathupur, Distt. Sonipat,
Haryana.

3. Pradeep Kumar,
S/o Sh. Chand Swaroop,
R/o 3/25 Mandir Marg,
New Delhi

.....Applicants.

By Advocate: Shri Jasbir Singh.

Versus

1. Union of India
through
the Secretary,
Ministry of Finance,
Revenue Division,
North Block,
New Delhi.

2. Director General,
Directorate of Income Tax (Spl.) North,
4th Floor Mayur Bhawan,
Canaught Circus, New Delhi.

3. Director of Income Tax (Spl. Insp.)
IV th Floor, Super Bazar Building,
Canaught Place,
New Delhi - 1

.....Respondents.

By Advocate: Shri V. P. Uppal.

JUDGMENT

BY HON'BLE MR. S. R. ADIGE, MEMBER (A).

Heard.

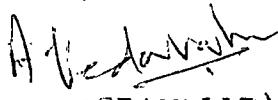
2. The applicants are seeking regularisation,
based on their claim of having completed more than

15

206 days continuous service in 1 calendar year, and being entitled to temporary status under the D.P & T's Casual Labours (Grant of Temporary Status & Regularisation) Scheme while respondents contend that the applicants never came through the Employment Exchange; they were engaged purely as Casual Labourers as and when required based on the availability of work, and there is no regular work for them; and that they had not completed the requisite 206 days of continuous service on the date of filing the OA.

3. The applicant presently stand disengaged. Subject to the availability of work, the respondents should consider reengaging the applicants as casual labourers in preference to outsiders and those with overall lesser length of past service, and in case no suitable candidate sponsored by the Employment Exchange is available at the time of such consideration. Once the applicants are reengaged the respondents will examine the claims of the applicants for grant of temporary status in accordance with the provisions of the Casual Labours (Grant of Temporary Status & Regularisation) Scheme and pass a speaking order thereon in the case of each of the applicants under intimation to them. Thereafter subject to the availability of regular vacancies and the applicants being fully eligible, the respondents will examine the claims of the applicants for regularisation.

4. This OA is disposed of in terms of para 3 above. No costs.


(DR. A. VEDAVALLI)
MEMBER (J)


(S. R. ADIGE)
MEMBER (A)