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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

O.A.No.1181/95

This the 14th day of February 1997

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

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

1. Munim Singh
S/o Shri Pathi Ram
2. Hira Lal Berua
S/o Gopal Lal
3. Pritam Chand Sharma
S/o Munshi Lal Sharma
4. Bhurey Khan
S/o Shamli Khan
5. Rhadhey Ahyam Chaturvedi
S/o Surnath Chaturvedi
6. Murli Dhar Yadav
S/o Radha Krishan.
7. Shri Ramesh Singh
S/o Shri Sahab Singh,

..... Applicants.

(All are R/o 1-2 C.T.O. Compound,
Agra).

(By Advocate Mrs.Rani Chhabra)

Versus

1. Union of India through
Its Secretary,
Ministry of Communication,
Department of Telecommunication,
Sanchar Bhawan,
New Delhi.
2. Telecom Dist.Manager,
Targhar,
Agra.
3. Divisional Engineer,
Telegraphs,
Agra.
4. Sub-Divisional Officers
Telegraphs,
Agra.

..... Respondents.

(By Advocate Shri V.K.Rao)

JUDGEMENT

By Hon'ble Shri S.R.Adige,Member(A).

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1. Applicants are seeking conferment of temporary status and consequential benefits, with a direction to respondents not to treat the period they remained disengaged as break period.

2. Applicants assert that they were initially recruited as Casual Labourers in 1986-87 on muster roll basis and were assigned work continuously during 1988-June'90 whereafter they were disengaged illegally and arbitrarily. Photocopies of Documents in support of applicants contention have also been filed.

3. Respondents assert that applicants can be conferred temporary status/regularisation only in accordance with the provisions of the Casual Labourer (grant of temporary status and regularisation) Scheme 1989 which came into effect from 1.10.89 and as the applicants were not in employment on 1.10.89, they are not covered by the Scheme.

4. Applicants in their rejoinder assert that the Scheme is applicable to those not in employment with respondents on 1.10.89, and in any case they were all in employment with respondents on 1.10.89.

5. The question whether applicants were or were not in employment with respondents on 1.10.89 and whether they had put in the requisite number of days of service to qualify for grant of temporary status, is purely one of fact.

6. This OA is disposed of with the directions that if applicants make a self contained representation to respondents for grant of temporary status supported with copies of such materials as are available with them within 6 weeks from the date of receipt of a copy of this order, respondents will examine that representation and dispose of the same by means of a detailed

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speaking and reasoned order in accordance with
law within 3 months of its receipt.

7. This OA is disposed of in term of para 6
above. No costs.

A. Vedavalli
(DR. A. VEDAVALLI)
MEMBER (J)

RB.

S. R. Adige
(S. R. ADIGE)
MEMBER (A)