

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Applications Nos. 121 & 128 of 1996

New Delhi, this the 29th day of April, 1997

Hon'ble Mrs. Lakshmi Swaminathan, Member (J) (9)

O.A.No.121 of 1996

Shri Krishan Pal son of Shri Khem Chand
Dis-engaged casual labourer, Planning Commission,
Office of the Section Officer, Room No.415, 4th
Floor, Yojna Bhawan, New Delhi

-Applicant

By Advocate Shri A.K.Bhardwaj

Versus

1. Union of India Through the Secretary, Planning Commission, Yojna Bhawan, New Delhi
2. The Deputy Chairman, Planning Commission, Yojna Bhawan, New Delhi
3. The Section Officer, Planning Commission, Room No.415, 4th Floor, Yojna Bhawan, New Delhi - Respondents

By Advocate Shri V.K.Mehta

O.A.No.128 of 1996

Ber Singh son of Shri Mam Chand resident
of Jhuggi No.11, Block No.18, Trilokpuri,
New Delhi

- Applicant

By Advocate Shri A.K.Bhardwaj

Versus

1. Union of India Through the Secretary, Planning Commission, Yojna Bhawan, New Delhi
2. The Deputy Chairman, Planning Commission, Yojna Bhawan, New Delhi
3. The Section Officer, Planning Commission, Room No.415, 4th Floor, Yojna Bhawan, New Delhi - Respondents

By Advocate Shri V.K.Mehta

ORDER (Oral)

Mrs. Lakshmi Swaminathan, Member (J) -

As the facts and issues involved in OAs 121 & 128 of 1996 are similar, these two applications are being disposed of by this common order.

2. The learned counsel for the applicants submits that the applicants have been re-engaged by the respondents and are continuing in service as casual labourers. It is further submitted that they are entitled to the benefit of

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the scheme issued by the Department of Personnel & Training dated 10.9.1993 (Annexure-A-7 in OA 128/96). The learned counsel for the applicants has relied on a number of judgments of this Tribunal, the latest one being Kiran Kishore & others Vs. Union of India, O.A.No.1696 of 1995 decided on 13.11.1995.

3. Having regard to the facts and circumstances of these cases and the aforesaid judgment of the Tribunal, it is clear that the applicants would be entitled to the benefit of the scheme issued by the Department of Personnel & Training dated 10.9.1993.

4. In the result the respondents are directed to consider the applicants for grant of benefits in terms of Department of Personnel & Training's scheme dated 10.9.1993 for Group 'D' employees. The Original Applications are accordingly disposed of. No order as to costs.

Lakshmi Swaminathan
(Mrs. Lakshmi Swaminathan)
Member (J)

Attested

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CO- CTD