

Central Administrative Tribunal, Principal Bench

O.A.No.1993/96

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this 11th day of April, 1997

Jai Kishore
s/o Shri Fula Ram
r/o Village & P.O.Sumera
District Aligarh, U.P. ... Applicant

(10)

(By Shri A.K.Bhardwaj, Advocate)

Vs.

1. Union of India through
Ministry of Information & Broadcasting
Shastri Bhawan
New Delhi.
2. The Director General
All India Radio
Akashwani Bhawan
Sansad Marg
New Delhi.
3. The Superintending Engineer
High Power Transmission
All India Radio
Aligarh
U.P. ... Respondents

(By Shri S.M.Arif, Advocate)

O R D E R(Oral)

The applicant is working as Casual Labour with temporary status in High Power Transmission, All India Radio, Aligarh. He submits that the respondents are considering two junior Casual Labourers, namely, S/Shri Chander Pal, Veer Pal and Sukhvir Singh for regularisation against regular Group 'D' posts and have ignored him. The respondents on the other hand deny the allegation and stated that the applicant has been duly considered by the DPC.

2. This is in fact ^{the} second round of litigation. Initially, the applicant had come along with Chanderpal, Veer Pal Singh and Sukhvir Singh before the Tribunal in OA No.2390/94 seeking temporary status. After the OA was

True

(1)

partly allowed, the respondents have considered the cases of all the three applicants i.e. the applicant as well as Chander Pal, Veer Pal Singh and Sukhvir Singh and all three were granted temporary status along with others. It appears that a DPC was held for selection of Khalasi amongst the temporary status designated Casual Labourers convened on 20.8.1996. Shri Sukhvir Singh was selected against the unreserved post since he belongs to general category. In respect of reserved category posts the following selection was made by the respondents:

- A) Chander Pal
- B) Veer Pal Singh
- C) Jay Kishore (Applicant)

3. This shows that the applicant was duly considered but placed at Serial No.3 in the merit list.

4. Learned counsel for the respondents states that against the available vacancies Chander Pal, Veerpal Singh have already been adjusted, one in the post of Khalasi and the other in the post of Farash. Thus Jay Kishore is now No.1 in the merit list for both the Group 'D' posts. If there is any Scheduled Caste category vacancy, the applicant will be adjusted first. Learned counsel for the applicant states that if this had been made known to the applicant the present OA would not have been arisen.

5. In view of the above position the OA is disposed of with a direction to the respondents to give regular appointment to the applicant in accordance with the recommendations made by the above DPC in the next available vacancy in the appropriate category. No costs.

R.K. AHOOTAY
(R.K. AHOOTAY)
MEMBER(A)

/rao/