

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH
NEW DELHI.

D.A.No. 2064/1996

(V)

New Delhi: this the 30th day of May, 1997.

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

1. Hans Raj s/o Moti Ram,
2. Birinder Prasad s/o Bhagwati Prasad ,
3. Vijender Kumar s/o Shri Chander Singh,
4. Bilechan Prasad s/o Shri Bhagwati Prasad.
5. Rajeev Kumar s/o Shri Shyam Behari Lal.
6. Jai Kumar Pal s/o Shri Rakesh Pal,
7. Mahesh Chand Joshi s/o Shri Keshav Dutt Joshi.
8. Durga Prasad Gupta s/o Shri Ram Roop Gupta
9. Rakesh Kumar Plaka s/o Shri Ram Rattan.
10. Mohd. Haroon Rashid s/o Mohd. Naim-uddin.
11. Tribhuvan Mandal s/o Shri Fakir Mandal,
12. Gopi Chand s/o Shri Sumer Singh.
13. Sant Ram Verma s/o Shri Ram Paltan.
14. Abdul Sattar Khan s/o Shri Abdul Jabbar Khan,
15. Vivek Kumar Saxena s/o Shri Shyam Behari Lal
16. Ramesh Chander Dixit s/o Shri Virender Dixit.
17. Chhattarpati s/o Shri Moti Ram,
18. Ashok Kumar s/o Shri Chhatar Singh.
19. Bhupinder Singh s/o Shri Jai Narain,
20. Janardhan s/o Shri Mahadev Rao

All Casual Labourers in Defence Research
and Development Organisation, Ministry of Defence,
'B' Wing, Sena Bhawan, New Delhi.

.... Applicants.

(By Advocates: Shri M.L.Chawla)
with Shri S.L.Lakhampal

Versus

Union of India
through

1. The Secretary,
Ministry of Defence, Govt. of India,
South Block,
New Delhi - 110011.
2. Director General & Secretary,
Govt. of India, Ministry of Defence,
Defence Research & Development Organisation (DRDO)
Room No.138, South Block,
New Delhi - 110011.
3. Director,
Directorate of Management Services,
DRDO, Headquarters, Ministry of Defence,
Govt. of India, Room No.249, B Wing,
Sena Bhawan, DHQ Post office,
New Delhi -110011.

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4. Directors,
Directorate of Personnel,
DRDO, Headquarters, Room No.221,
B Wing, Sena Bhawan, DHQ Post Office,
New Delhi - 110011, Respondents.

(By Advocate: Shri M.K.Gupta).

JUDGMENT

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

Applicants who are presently working as Casual Labourers with respondents seek grant of temporary status in respect of 7 of themselves with consequential benefits and also regularisation from the date(s) they became eligible and/or from the date when a regular vacancy became available, whichever is earlier.

2. I have heard applicants' counsel Shri Chawla and respondents' counsel Shri M.K.Gupta.

3. In so far as the prayer for grant of temporary status to 7 out of the applicants is concerned, Shri Gupta stated that respondents would have no objection in considering their cases for grant of temporary status as per rules and instructions on the subject. Respondents should consider the same and pass necessary orders in this regard in accordance with rules and instructions on the subject within three months from the date of receipt of a copy of this order.

4. As regards the prayer for regularisation, Shri Gupta stated that the applicants' claim for regularisation would be considered as per their seniority against available vacancies in the DRDO Hqs Unit where they are presently working. Shri Chawla contended that vacancies are available in other units of DRDO which functioned under the

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administrative control of DRDO Hq., and applicants should be considered for regularisation against vacancies available in other units also, including those located even outside Delhi, as applicants are willing to serve even outside Delhi. This is challenged by Shri Gupta who contends that the various DRDO units are separate and independent entities, and applicants who are casual labourers in DRDO H.Q. Unit cannot be regularised against vacancies occurring in other DRDO units.

5. Respondents should consider applicants' claim for regularisation in order of their seniority against permanent vacancies as and when they become available, strictly in accordance with rules and instructions on the subject.

6. This OA is disposed of in terms of paras 43 and 5 above. No costs.

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(S. R. RADIGE)
MEMBER(A).

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