

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

O.A. No.2284/94
O.A. No. 107/95

Hon'ble Justice Chettur Sankaran Nair (J), Chairman
Hon'ble Shri R.K. Ahooja, Member (A)

New Delhi, this 30th day of October, 1996

1. O.A. No.2284/94

1. Giriraj Sharma
2. Hemant Kumar
3. Puranchand-I
4. Khen Singh Rawat
5. Vijay Kumar
6. Bhairav Dutt
7. Raj Kumar - I
8. Puran Chand - II
9. Ravi Kant
10. Km. Anju Gupta
11. Nihal Singh
12. Atul Kumar Gupta
13. Raj Kumar - II
14. Krishan Gopal
15. Virender Singh
16. Lakhman Singh
17. Arun Kumar Singh
18. Ved Prakash

Regional Pass Port Office,
R.K. Puram, New Delhi. Applicants

Vs.

1. Union of India
through Secretary,
Department of Personnel and Training
North Block, New Delhi.
2. Union of India
through Secretary
Ministry of External Affairs
South Block, New Delhi.

contd. .. 2/-

3. Joint Secretary and Chief
Passport Officer,
Regional Passport Office
Ministry of External Affairs,
Patiala House,
NEW DELHI.

..... Respondents

2. O.A. NO.107/95

1. Ashok Kumar
2. Deweshwar Prasad
3. Sunil Kumar
4. Satpal
5. Gopal
6. Ashok Kumar II
7. Jeevan Singh
8. Om Prakash
9. Mukesh Kumar
10. Seesh Pal
11. Girdhari
12. Nand Kisore
13. Ram Niwas
14. Satya Prakash
15. Ajay Kumar
16. Om Prakash II
17. Sunil Kumar Phadke

All temporary Group D status employees
of Regional Passport Office,
R.K. Puram, New Delhi.

..... Applicants

Vs.

1. Union of India
through Secretary
Department of Personnel and Training
North Block, New Delhi.

contd. .. 3/-

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2. Union of India
through Secretary
Ministry of External Affairs
South Block, New Delhi.

3. Joint Secretary and Chief
Passport Officer,
Regional Passport Office,
Ministry of External Affairs
Patiala House,
NEW DELHI.

..... Respondents

Shri D.C. Vohra, Counsel for the Applicants
Shri N.S. Mehta, Counsel for Respondents

ORDER

Chettur Sankaran Nair (J), Chairman.

Applicants who are working as "Casual Employees" under the ~~Ernakulam~~ Regional Passport Office, New Delhi, seek a declaration that they are not casual workers and seek a further declaration that they are entitled to get wages in terms of Annexure I order. Learned Counsel for Applicants prayed for another relief, viz., to direct Respondents to hold an examination, a departmental test, as directed by the Ernakulam Bench, in O.A. No.903/91 and connected cases. The prayers are inconsistent. If Applicants are not casual employees they cannot

contd. ..4/-

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seek any of the reliefs prayed for. Apart from that, the Order of the Ernakulam Bench states;

"Accordingly, we allow the applications and direct the 1st respondent to conduct a departmental test as contemplated in Annexure-VI(A) in the same manner as the one conducted on 24.3.1985 for regularising similar casual labourers in 1985 as one time measure. They may also regularise such of the applicants in these cases who pass in that test and qualify for regularisation. We further direct him to retain the applicants in these cases in service till the above directions are complied with depending upon the existence of vacancies and the decision of the respondents to conduct departmental tests as directed above."

2. These directions are restricted to the facts of that case ~~decided~~ and have no general application. The only direction that can be granted is ~~and~~ to consider the case of Applicants for grant of temporary status and regularisation in terms of the scheme contained in O.M. No.51016/2/90-Estt.(C) dated 10.9.93 issued by the Department of Personnel & Training, Government of India.

... 5/..

3. Accordingly, we direct Respondents to consider the claim of Applicants in terms of the aforesaid scheme. Application is disposed of. No costs.

Dated this 30th day of October, 1996

R. K. Andoja
(R.K. ANDOJA)
Member (A)

Chettur Sankaran Nair
(CHETTUR SANKARAN NAIR(J))
Chairman

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