

Central Administrative Tribunal
Principal Bench, New Delhi.

OA-279/94
MA-424/94

New Delhi this the 16th Day of August, 1994.

Hon'ble Mr. Justice S.K.Dhaon, Acting Chairman
Hon'ble Mr. B.N. Dheundiyal, Member(A)

1. Shri Suresh Chander,
S/o Shri Jaswant Singh,
R/o D-1, 250, New Kaundaly,
Delhi-91.
2. Shri Ganga Dhar,
S/o Shri Ram Charan,
H.No.15, Sector-11,
Noida(UP).
3. Shri Mukesh,
S/o Shri Shanti,
R/o Ambedkar Park,
Himmatpuri,
Delhi-91.
4. Shri Hari Singh,
S/o Shri Lala Ram,
R/o 16, Sector-11,
Near W-9,
Noida(UP).
5. Smt. Krishna Devi,
W/o Shri Ganga Dhar,
R/o 15, Sector-11,
Noida(UP).
6. Shri Nanak Chand,
S/o Shri Yad Ram,
R/o B/19, House No.598,
India Camp, Tirkpuri,
Delhi-91.

Applicants

(By advocate Shri V.P. Trikha)

versus

1. Director General,
Employees' State Insurance Corporation,
Kotla Road,
New Delhi-110002.
2. Director Medical,
Employees' State Insurance Hospital Complex,
Basai Darapur,
Ring Road, Delhi-110015.

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3. Director,
Employees' State Insurance Corporation
Hospital,
Sector-24,
Noida(UP).

Respondents

(By advocate Shri G.R. Nayyar)

ORDER(ORAL)

delivered by Hon'ble Mr. Justice S.K.Dhaen, Acting Chairman

that

This is the second time the applicants have come to this Tribunal. Earlier on 10.05.93, this Tribunal directed the respondents to make every endeavour to regularise the services of the applicants. It was also directed that the respondents shall not recruit juniors to the applicants or freshers so long the question of regularisation of the applicants' services is not decided.

A short reply has been filed on behalf of the respondents. In it, it is merely stated that the respondents are bound to obey the directions given by this Tribunal. However, the learned counsel for the respondents stated at the Bar that some time back, the respondents took steps to regularise the services of the applicants and the persons similarly situated. All of them were interviewed. However, the result of the interview is not declared. On the contrary, the learned counsel stated that the result would be declared only of three persons (not the applicants) ^{who} had been selected for regularisation. This shows that the authority concerned did not find the applicants fit for regularisation. However, there is no challenge to the decision of the authority concerned not finding the applicants fit for regularisation.

The learned counsel for the applicants insists that in view of the Notification dated 10.09.1993, the respondents are bound to consider the cases of the applicants in accordance with the terms of the said Notification.

It is correct. The authority concerned shall now apply its mind to the facts of the applicants' case and also with the terms of the aforesaid Notification dated 10.09.1993 and pass suitable orders on merits and in accordance with law for giving the applicants temporary status. The authority concerned shall do so and pass necessary orders within a period of two months from the date of production of a certified copy of this order by the petitioner before it.

With these directions, this O.A. is disposed of finally.

No costs.

B.N.D.I.Y.
(B. N. DHOUNDIYAL)
MEMBER(A)

S.K.D.
(S. K. DHAON)
ACTING CHAIRMAN

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