

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI

O.A. No. 866/94

New Delhi, dated the 6th Jan., 1995

CORAM

Hon'ble Shri S.R. Adige, Member (A)

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Shri Vijay Pal
r/o Pawli Khurud, Meerut,
P.O. Modipuram.

Shri Arjun Singh
r/o Vill. Sultanpur Biloni,
P.O. Rahimkot Dist. Bulandshahar.

Shri Umesh Singh
r/o Vill. Nagla Battoo, Pragati Nagar,
H.No. 168/1, Meerut.

Shri Bahadur
r/o H.No. 312, Topkhana Bazar,
Meerut Cantt.

Shri Karan Chand
r/o Vill. Dadwal, P.O. Rooni
Distt. Hameerpur (Himachal Pradesh)

Shri Lala Ram
r/o Kothi No. 261, Khanna Camp,
Meerut.

Shri Kamal Singh
r/o Sultanpur Biloni, P.O.
Raheemkot.

Shri Kali Ram
r/o Village Richoli
P.O. Rajpura, Distt. Meerut.

Shri Anil Kumar
r/o H.No. 50/7, Jaigavi Nagar,
Garh Road, Gali No. 7, Meerut.

Shri Avdhesh
r/o Kothi No. 261, Khanna Camp,
Meerut.

Shri Sant Ram
r/o Kothi No. 261, Khanna Camp,
Meerut.

Shri Kali Charan
r/o Vill. Badhla, Kaithwara,
P.O. Sisoli, Distt. Meerut.

Shri Anil Chauhan
r/o H.No. 168/1, Nagla Batti,
Pragati Vihar, Meerut.

Shri Iqlak
r/o Kothi No.261, Khanna Camp
Meerut.

Shri Jaswant Singh
r/o Kothi No.261, Khanna Camp
Meerut.

Shri Kishan,
R/o Kasra Khara, Jhuggi,
Meerut.

... Applicants

(By Advocate Shri Surinder Singh)

v/s

1. The Defence Secretary,
Ministry of Defence,
South Block,
New Delhi.
2. Director General,
Supplies and Transport,
Army Hq.
Sena Bhawan, New Delhi.
3. The Commanding Officer,
No.40, ASC Supply Depot,
Meerut Cantt.

... Respondents

(By Advocate Shri B.K. Aggarwal)

JUDGMENT (ORAL)

(Hon'ble Shri S.R. Adige, Member (A))

In this application, Shri Vijay Pal and
fifteen(15) others, all of whom were working as
Casual labourers in the office of the Commanding
Officer, No.40, A.S.C. Supply Depot, Meerut Cantt.,
have prayed for grant of temporary status from
the date, they have completed their respective one year's

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service as casual labourers, together with absorption in Group D posts after regularisation and grant of all consequential benefits.

2. We have heard Shri Surinder Singh, counsel for the applicant, and Shri B.K. Aggarwal, counsel for the respondents.

3. Shri Surinder Singh has stated at the bar that all the applicants before us have been granted temporary status w.e.f. 15.9.94, and according to him what survives now is their contention that they are eligible for grant of temporary status w.e.f. 1.9.1993 itself, in accordance with DOPT O.M. dated 10.9.93(Ann.A.1), and not from 15.9.94 as granted to them.

4. We note from the materials on record(Para 6 of OA) that the applicants had earlier filed OA No.252/94, which was dismissed by the Tribunal as premature, with the direction that after the issue of DOPT's O.M. dated 10.9.93 the proper course for the applicants was to represent to the concerned authorities. Shri Surinder Singh states that applicants had, in fact, represented on 1-10-1993 itself for regularisation, a copy of which is at Annexure-13, together with certificate of posting.

5. Respondents counsel, Shri Aggarwal, however,

contends that the representation dated 1.10.1993

said to have been filed by the applicants

is not available on record and in any case

prior to the Tribunal's direction in OA No.252/94

referred to above which therefore, still remains

uncomplied with. He has also questioned the

jurisdiction of the Principal Bench of the Tribunal

to entertain this application, which relates to

Meerut.

6. We have carefully considered the rival

contentions. As regards jurisdiction, in view of

the Tribunal already having entertained OA No.252/94

which was also filed by these applicants it would be
to dismiss

in appropriate/this present O.A. only on that ground.

In so far as the representation claimed to have been

filed by the applicants on 1.10.1993 and non compliance

of the Tribunal's direction in OA No.252/94 is concerned,

we direct that even if the applicants file a fresh

representation to the respondents at this stage,

~~Respondent~~ together with copies of their earlier

representations if any, setting forth their prayers

in respect of (i) antedating their date of temporary

status to 1.9.1993 and (ii) grant of regularisation.

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the respondents should examine the same in the
light of the extant rules and instructions, and
the available materials on record, and thereafter
dispose it of by a speaking, reasoned/under
intimation to the applicants, most expeditiously.

7. We dispose of this OA accordingly. No costs.

Lakshmi Swaminathan

(Lakshmi Swaminathan)

Member (J)

S.R. Adige
(S.R. Adige)

Member (A)

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