

(11)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

CP-328/97 in
OA-191/96

New Delhi this the 22nd day of January, 1998.

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)
Hon'ble Sh. S.P. Biswas, Member(A)

1. Sh. Braham Singh,
Non-Technical Supervisor.
2. Sh. Rajender Prasad Sharma,
Non-Technical Supervisor.
3. Sh. Anil Kumar,
Non-Technical Supervisor.
4. Sh. Harish Kumar,
Non-Technical Supervisor.
5. Sh. Ram Vir,
Non-Technical Supervisor.
6. Sh. Kunwar Pal,
Non-Technical Supervisor.
7. Sh. Ram Avtar,
Operator Mechanical Branch.
8. Sh. Ved Prakash,
Operator Mechanical Branch.
9. Sh. Jai Pal Singh,
Operator Mechanical Branch.
10. Sh. Bhagat Singh,
Operator Mechanical Branch. Petitioners

(All working in Minor Irrigation Division, Flood
Control Deptt., Govt. of NCT of Delhi)

(through Sh. Rishi Kesh, advocate)

versus

1. Sh. Anil Kumar Gupta,
Chief Engineer,
(Flood & Irrigation),
Govt. of NCT of Delhi.
4th Floor, ISBT, Delhi.
2. Sh. M.L. Bhutani,
Engineer Officer(I&F),
Govt. of NCT of Delhi,
4th Floor, ISBT, Delhi.
3. Sh. P.V. Jayakrishnana,
Chief Secretary,
Govt. of NCT Delhi,
5, Shamnath Marg, Delhi. Respondents
(through Sh. Rajinder Pandita, advocate)

ORDER(ORAL)

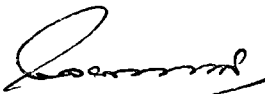
Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)


The respondents have filed a compliance affidavit stating that the casual labourers concerned have been regularised giving benefit of the judgement dated 28.7.95 passed by this Tribunal in OA-1112/91 to the petitioners in this petition as well. According to the said decision, the respondents were to create sufficient number of regular posts in group-C and the order dated 16.1.98 shows that the same have been created in the Work Charge Establishment of the Flood & Irrigation Department under the control of the Chief Engineer (I&F) Govt. of Delhi. The learned counsel for the petitioners submits that the posts in Work Charge Establishment are not regular and these are temporary and they can be removed at any time. The learned counsel for the respondents has refuted this fact and stated that these posts are ex-cadre posts and these are created as per the orders of this Tribunal referred to above for the purpose of creating sufficient number of regular posts and the apprehension of the petitioners is misplaced. The petitioners also apprehends that there may be delay in disbursing the payment including the arrears as have been given to the similarly placed persons in OA-1112/91 and OA-191/96. The learned counsel for the respondents has brought to our notice page-5 of the order where appropriate orders have been passed and they expect that the payment would be made within a reasonable time preferably within 3 to

D

13

4 months. With this, this contempt petition is disposed of. Notices issued to the alleged contemnners are discharged.


(S.P. Biswas)
Member(A)


(Dr. Jose P. Verghese)
Vice-Chairman(J)

/vv/