

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA 1397/2000
MA 1746/2000

(2)

New Delhi this the 10th day of August, 2000

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

1. Sh. Yog Raj,
S/O Sh. Om Prakash,
aged about 33 years,
r/o Sec 8, H.No.15,
R.K.Puram, New Delhi.
2. Sh. Neeraj Kumar
S/O Sh. Dheer Singh
aged about 28 years,
r/o 2/34, DDA Flats,
Madangir, New Delhi.
3. Sh. Dharam Vir Singh
S/O Sh. Dalpat Singh
aged about 30 years,
r/o H.No.38, Harswarup Colony,
Near Fatepur Dairy, New Delhi.
4. Sh. Ram Singh,
S/O Sh. Balbir Singh
aged about 32 years,
r/o F-1872, Netaji Nagar,
New Delhi.
5. Sh. Puran Singh
S/O Sh. Zile Singh
aged about 31 years,
r/o Juggi No.A/245, Kusumpur
Pahari, Vasant Vihar, New Delhi.
6. Sh. Swapan Kumar Das,
S/O Sh. Biren Nath Das,
aged about 26 years,
r/o 23/162, Lodhi Colony,
New Delhi.
7. Sh. Naresh Kumar
S/O Sh. Kanchi Lal
aged about 26 years,
r/o Jhuggi No. B-137,
Ambedkar Basti, R.K.Puram,
New Delhi.
8. Sh. Nam Dev,
S/O Sh. Jile Singh,
aged about 29 years,
r/o Jhuggi A/245, Kusumpur Pahari,
Vasant Vihar, New Delhi.
9. Sh. Devi Singh
S/O Sh. Bharat Singh
aged about 33 years
r/o H.No.105, Gali No.5,
Krishna Nagar, New Delhi.

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10. Sh. Raju,
S/O Sh. Bansi Lal,
aged about 33 years,
r/o A-358, Ambedkar Basti,
R.K.Puram, New Delhi.

11. Sh. Prem Chand,
S/O Sh. Surajbir Singh,
aged about 27 years,
r/o H.No. 193, Ambedkar Nagar,
Bypass, Ghaziabad (UP).

12. Sh. Sanjay,
S/O Sh. Faqir Chand,
aged about 29 years,
r/o H.No. H-319, Nanakpura,
New Delhi.

13. Sh. Suresh Chand Sharma,
S/O Sh. Hamir Sharma,
aged about 31 years,
r/o H.No. 312, Budh Vihar,
Munirka, New Delhi.

14. Sh. Dev Kumar Manjhi,
S/O Sh. Viwan Manjhi,
aged about 29 years,
r/o H.No. 970, Sec-I, R.K.Puram,
New Delhi.

15. Sh. Sanjay Kumar
S/O Sh. Kazan Singh,
aged about 30 years,
r/o H.No. 39, Mandwali,
Jagdishwali Gali, Delhi.

16. Sh. Shiv Prasad,
S/O Sh. Ram Dev,
aged about 29 years,
r/o 427, Sec-II, R.K.Puram,
New Delhi.

17. Sh. Yogendra Kumar Pandey,
S/O Sh. Mathunji Pandey,
aged about 29 years,
r/o E-119, Gali No. 68,
Madhu Vihar, New Delhi.

18. Sh. Amit Kumar,
S/O Sh. Kishan Gopal,
aged about 26 years,
r/o H.No. 4/278, Kalyanpuri,
Delhi.

19. Sh. Bijender Singh,
S/O Sh. Shibu,
aged about 26 years,
r/o M-458, Sewa Nagar,
New Delhi.

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20. Sh. Vijay Pal,
S/O Sh. Bansi Lal,
aged about 33 years,
r/o A-358, Ambedkar Basti,
R.K.Puram, New Delhi.

(A)

.. Applicants

(All the applicants are working as casual
labourers under the Respondents)

(By Advocate Sh.S.S.Tiwari, learned
counsel through proxy counsel
Sh.T.D. Yadav)

Versus

1. Union of India, through
Chairman, Central Water Commission,
Sewa Bhawan, R.K.Puram, New Delhi-66
2. Director,
PCP, Directorate,
Central Water Commission, R.K.Puram,
New Delhi-110066.

.. Respondents

(By Advocate Shri K.R. Sachdeva)

O R D E R (ORAL)

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

Shri K.R. Sachdeva, learned counsel for the respondents has submitted that MA 1746/2000 filed by the applicants under Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987 has not been filed by the proper parties. He has pointed out that in this MA the name of one Shri Kartar Singh is mentioned as ^{an} applicant, whereas his name does not figure in the Memo. of parties in OA 1397/2000. Apart from this, he has pointed out that in page 10 of the OA, applicant 12, Shri Sanjay, is shown in the Memo. of parties ^{as} and his age about 29 years, whereas on page 10 it is stated that his age is about 31 years. He has, therefore, submitted that there has been mis-representation of the facts in the present OA and MA 1746/2000 filed by the applicants and hence, ^{as}

OA and MA are not maintainable in the present form. He has also pointed out that an ad interim order has been passed on 27.7.2000 based on the facts mentioned by the learned counsel for the applicants. He has, therefore, prayed that the OA may be dismissed.

2. Shri T.D.Yadav, learned proxy counsel prays for adjournment to take up this case tomorrow.

3. On perusal of the pleadings filed by the applicants, it is noted that the submissions made by Shri K.R. Sachdeva, learned counsel for the respondents is factually correct. In the circumstances, the prayer for an adjournment sought for by the learned proxy counsel for the applicants does not appear to be justified and is accordingly rejected.

4. In view of the above facts, OA 1397/2000 along with MA 1746/2000 are rejected, leaving it open to the applicants to pursue the matter in accordance with law. No costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member(J)