

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1891/2000  
WITH  
O.A.NO.1893/2000

Wednesday, this the 12th day of September, 2001

Hon'ble Shri Shanker Raju, Member (Jud1)

OA-1891/000

Shri Kalu Ram  
S/O Shri Ganpat  
R/O Jhuggi No.107, SatyaVati Colony,  
(Behind Janta Flats) Ashok Vihar  
Delhi-52.

..Applicant

(By Advocate: Shri D.R. Gupta)

Versus

1. Union of India through  
Director General (Works)  
CPWD, Nirman Bhawan,  
New Delhi
2. Executive Engineer,  
PWD Division No.15 (NCTD)  
Under ISBT Flyover, Kashmere Gate  
Delhi
3. Superintending Engineer (Coordination Circle)  
I.P. Bhawan, New Delhi

..Respondents

(By Advocate: Shri Ajesh Luthra)

OA-1893/2000

Shri Bal Raj  
S/O Shri Samay Ram  
R/o Vill. Simli, P.O. Mayna,  
Distt. Rohtak (Haryana)

..Applicant

(By Advocate: Shri D.R. Gupta)

Versus

1. Union of India through  
Director General (Works)  
CPWD, Nirman Bhawan,  
New Delhi
2. Executive Engineer,  
PWD Division No.15 (DA)  
26-27 Sunlight Building  
Asaf Ali Road  
New Delhi-2  
Since shifted to  
PWD Division No.15 (NCTD)  
Under ISBT Flyover, Kashmere Gate  
Delhi-6

(2)

3. Superintending Engineer (Coordination Circle)  
I.P. Bhawan, I.P. Estate, New Delhi.  
.. Respondents  
(By Advocate: Shri Ajesh Luthra)

ORDER (ORAL)

Heard the learned counsel for both the parties.

2. Both the OAS raise common issues of law and facts and accordingly it is proposed to dispose them of by this common order.

3. The grievance of the applicants in the present OAS is that despite belonging to OBC category and having worked on hand receipt basis as Mason and Plumber etc. for the last more than 10 years, they are yet to be accorded regularisation. The learned counsel for the applicants in support of his claim places reliance on a decision of this Court in OA-1923/99, decided on 28.3.2001 (All India CPWD (MRM) Karamchari Sangathan & Anr. vs Union of India & Ors.), wherein this Court has issued directions to the respondents to verify the records and the number of vacant posts in the category of employees where the applicants are working and to consider their regularisation against the vacant posts subject to their suitability and fulfilment of the terms and conditions as laid down in the recruitment rules. In this view of the matter, it is stated on behalf of the applicants that the same directions may be issued to the respondents.

4. On the other hand, the respondents strongly rebutting the contentions of the applicants, stated that no juniors to the applicants have been regularised and their

(3)

cases would be considered only on availability of posts in accordance with seniority-cum-fitness and that too, if the applicants conform to the eligibility criteria otherwise.

5. Having regard to the rival contentions of both the parties, I am inclined to dispose of this OA with a direction to the respondents to verify the records of the applicants and the number of vacant posts in the category in which the applicants are working, i.e., Mason and Plumber and also after verification of the necessary particulars pertaining to the applicants, they should be considered for regularisation against the vacant posts subject to their suitability and conforming to the recruitment rules. The consideration regarding regularisation of the applicants is to be strictly done in accordance with their streams and this exercise be completed expeditiously by the respondents as the applicants have rendered more than 10 years of service.

6. The present OA is disposed of in the aforesated terms. No costs

7. Registry is directed to place a copy of this order in the second OA.

S. Raju

(SHANKAR RAJU)  
MEMBER (J)

/sunil/

Attested

By me

17.9.2001

C.O.

C:IV