

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.1912/2000

New Delhi, this the 8th day of May, 2001

HON'BLE MR. S.A.T.RIZVI, MEMBER (A)

Shri Jai Singh & others

1. Jai Singh son of Shri Mir Singh
2. Phule Raj son of Shri Lili Ram
3. Anand Singh
4. Sat Pal son of Shri Lakhi
5. Om Prakash son of Shri Khazan
6. Kesho Ram son of Shri Nihal Singh
7. Mange Ram
8. Darshana wife of Shri Tara Chand
9. Tule Ram son of Shri Mohan Singh
10. Leela

All working as Labourers under the
Deputy Conservator of Forests,
Kamla Nehru Ridge, Delhi-110 007.

... Applicants

(By Advocate: None)

V E R S U S

1. The Chief Secretary,
Government of National Capital Territory of
Delhi,
Sham Nath Marg, Delhi - 110 007.
2. The Development Commissioner
Government of National Capital Territory of
Delhi
5/9, Under Hill Road, Delhi - 110 007.
3. The Deputy Conservator of Forests,
Kamla Nehru Ridge, Delhi - 110 007.

... Respondents

(By Advocate: Shri Ajay Gupta)

ORDER (ORAL)

By S.A.T. Rizvi, Member (A) :

Heard the learned counsel for the respondents.

2

(2)

2. The applicants are group "D" employees having been regularised in consequence of an order passed by the Hon'ble Supreme Court and are working as Labourers. According to the learned counsel for the respondents, there are posts of Labourer in group "D" in the respondents' set up. The applicants want to be designated as Malis/Gardners on the ground that they have been working as Malis/Gardners though designated as Labourers. In para 6 of the OA, the applicants have simply declared that they have exhausted all the remedies available to them under the relevant service rules. However, they have not shown clearly how they have exhausted^{the} aforesaid remedies. The most obvious method to be followed in such cases is to prefer a representation for the consideration of the respondents. The applicants do not appear to have filed any representation. They have approached this Tribunal straight-away without formally approaching the respondents for redressing their grievance. I also find that in MA No. 2277/2000 filed for joining together, two persons, namely, Bane Ram and Nanhe have been shown as signatories though their names do not figure in the list of applicants on page 1 of the OA. Similarly, S/Shri Anand Singh, Mange Ram and Leela named in the OA on page 1 do not figure in the list of persons signing the aforesaid MA. Further, according to the learned counsel, at least two of the applicants, namely, Bane Ram and Nanhe (both signatories to the MA) have already retired. One Shri Nanhoo figuring in the list of

2

(3)

(3)

signatories in the MA also does not figure in the list of applicants to the OA. Moreover, some one called Ved Pal has signed against the typed name of Nanhoo. The learned counsel also points out that there are only five sanctioned posts of Mali and none of these is vacant. According to him, the group 'D' employees are given this or that designation in accordance with the Recruitment Rules and the same cannot be done arbitrarily.

3. For all the reasons mentioned above, the present OA is bad and deserves to be rejected summarily. The OA is accordingly rejected.

S.A.T. Rizvi

(S.A.T. RIZVI)
MEMBER (A)

/pkr/