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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.197/2000

New Delhi, this 18th day of May, 2001

Hon<sup>ble</sup> Shri M.P.Singh, Member(A)

All India CPWD (MRM) Karamchari  
Sangathan (Regd.) through its President  
Shri Satish Kumar & 33 Others as per  
details given in Memo of Parties,  
working as Motor Lorry Drivers  
all c/o 34-D, DIZ Area  
Sector v, Raja Bazar, New Delhi .. Applicants

(By Shri Naresh Kaushik with Ms. Shilpa Chauhan,  
Advocates)

versus

Union of India, through  
1. Secretary  
Ministry of Urban Affairs & Employment  
Nirman Bhavan, New Delhi  
2. Director General of Works  
CPWD, Nirman Bhavan, New Delhi .. Respondents

(By Shri K.R.Sachdeva, Advocate)

ORDER(oral)

By the present OA, applicants No.2 to 34, who are the members of applicant No.1 Sangathan, claim that they have been working as Motor Lorry Drivers on muster rolls under the respondents since 1986-1994 and they are seeking directions to the respondents to regularise their services from the dates they have completed one year service and to grant them all benefits as admissible to other regular employees of the Government.

2. Heard the learned counsel for the parties and perused the records.

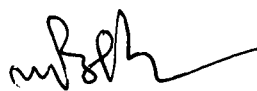
3. Learned counsel for the applicants submits that the present case is covered by the judgements of this Tribunal in OA Nos.1923/99 and 1550/99 decided on 28.3.2001 and 15.11.2000 respectively. He has also



submitted that there are large number of vacancies available with the respondents and therefore the applicants can be accommodated against these vacancies.

4. Learned counsel for the respondents while opposing the OA also took preliminary objection that applicant No.1 Sangathan is not a recognised Union and that the same has become a bargaining place for the other applicants and therefore such a practice should not be encouraged. On this ground alone, the OA is not maintainable. However, in view of the fact that OAs referred to in para 3 above filed by the same Sangathan have been allowed by this Tribunal, the objection taken by the learned counsel for the respondents is overruled.

5. Having regard to the ratio arrived at by this Tribunal in OA Nos.1923/99 and 1550/99 (supra), the present OA is allowed with the direction to the respondents to verify the particulars given by the applicants in the OA and consider regularisation of their services in their turn from the dates vacancies are available in accordance with the rules and instructions on the subject issued by the Government from time to time. There shall be no order as to costs.

  
(M.P. Singh)  
Member(A)

/gtv/