

(11)

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No. 2201 of 2000

New Delhi, this the 2nd day of August, 2001

HON'BLE MR. KULDIP SINGH, MEMBER(JUDL)

1. Sh. Vijay Pal Singh
S/o Late Shri M.S. Rawat
R/o D-239, Kidwai Nagar,
New Delhi.
2. Sh. Jasbir Singh
S/o Shri Tej Ram
R/o C/o Iqbal Singh C-3,
Indira Enclave, Lodhi Road,
Ghaziabad-UP.

-APPLICANTS

(By Advocate: Mrs. Meera Chhibber)

Versus

1. Union of India
Through Secretary,
Ministry of Social Justice & Empowerment,
Shastri Bhawan,
New Delhi.
2. Dr. Ambedkar Foundation through
its Director,
Ministry of Welfare,
Govt. of India,
25, Ashoka Road,
New Delhi-110 001.

-RESPONDENTS

(By Advocate: Shri P.P. Relhan, proxy for Sh. J.B. Mudgil)

O R D E R (ORAL)

By Hon'ble Mr. Kuldip Singh, Member(Judl)

This OA has been filed by two applicants jointly seeking regularisation and absorption in the Dr. Ambedkar Foundation and also seek implementation of the directions given in judgment in OA 2266/94 dated 27.8.97. Respondents have failed to file counter-affidavit inspite of various opportunities granted to them. However, Shri Relan appearing for the respondents preferred to argue the case without filing any counter-affidavit.

2. The learned counsel for the applicant pointed out that these two applicants along with one Shri Mahatwar Singh had earlier filed an OA 3074/92 which was decided on 27.9.93 whereby the directions were given to the respondents to re-engage the applicants in service. Consequent thereupon, a decision was taken that since three vacancies were available in Dr. Ambedkar Foundation so these applicants were re-engaged in the Dr. Ambedkar Foundation which was also under the respondents.

3. Thereafter another OA No. 2266/94 was filed by the applicants, wherein they had prayed for temporary status and regularisation. The said OA was also allowed with a direction to the respondents that they shall consider the case of the applicants for absorption in accordance with the Scheme for absorption of Group 'D' keeping in view their eligibility and seniority. Consequent thereupon one of the applicants, namely, Shri Matwar Singh has been regularised but the other two applicants, namely, Shri Vijay Pal Singh and Shri Jasbir Singh have not been regularised so they have come with the present OA.

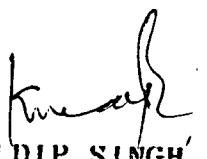
4. However, during the course of arguments the counsel for the respondents has also submitted that Shri Vijay Pal Singh, applicant No.1 has already been regularised vide Office Order dated 11.7.2001 so now he has no grievance as the same has already been met by

[Signature]

order dated 11.7.2001 passed by the respondents. In view of this now the only grievance survives in respect of applicant No.2, Shri Jasbir Singh.

5. Shri Relan appearing for the respondents submitted that at present there is no regular sanctioned vacancy available with the respondents and moreover he has given an undertaking to the court that as and when a regular sanctioned vacancy will become available, the applicant will be regularised in accordance with the scheme of the DOP&T and instructions on the subject for regularisation and absorption of Group 'D'. So in view of this undertaking given by the respondents, the OA is disposed of with a direction to the respondents that they will regularise the applicant No.2 Shri Jasbir Singh immediately on availability of a regular vacancy.

6. OA is disposed of with the above directions.
No costs.


(KULDIP SINGH)
MEMBER(JUDL)

Rakesh