

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application Nos. 2385/2000,
2386/2000 and 2387/2000

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

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

OA 2385/2000

Sh. Ram Sewak Yadav,
s/o Sh. Nirrottam Singh Yadav,
r/o A-44, Mohan Bawa Nagar,
Tajpur Extension, Badarpur,
New Delhi.

-APPLICANT

OA 2386/2000

Shri Jai Prakash Soni
s/o Shri Brahma Nand
R/o I.No.26, Navjeevan Camp,
Govindpuri,
New Delhi.

....Applicant

OA 2387/2000

Sh. Samay Pal
S/o Sh. Hari Kishan
R/o A-42, Lal Kuan,
Badarpur, New Delhi.

 -APPLICANT

Versus

1. Union of India
Ministry of Home, South Block,
New Delhi.
2. Directorate General of Home Guard and Civil
Defence,
Nishkam Seva Bhavan, CTI Block,
Near Shivaji College, Raja Garden,
New Delhi.

-RESPONDENTS

None for the applicants in all these cases.

Shri Rajinder Pandita, Counsel for the respondents

O R D E R (ORAL)

By Hon'ble Mr. Kuldip Singh, Member (Jud1)

By this OA I will decide three OAs bearing
No. 2385/2000, 2386/2000 and 2387/2000 as the issue involved in
all these OAs are identical.

2. The applicants who were engaged as Home Guards, their
services had been disengaged vide order dated 21.2.2000 in case
of applicant in OA 2385/2000, w.e.f. 25/2/2000 in the cases of
applicants in OA Nos. 2386/2000 and 2387/2000 without following



the rules of natural justice and vide notification dated 20.8.2000 the department is going to appoint fresh persons without considering the applicants, so they have prayed for the following reliefs:-

(I) The respondents be directed to reinstate the petitioners with immediate effect.

(II) That the service of the petitioners may be regularised with effect from the date of joining.

(III) That the impugned orders dated 21.2.2000 and 25.2.2000 passed by the respondent No.2 may be quashed and set aside.

3. The case has remained on Board for the last one week. No one came to argue on behalf of the applicants. I have heard Shri Rajinder Pandita, learned counsel for the respondents.

4. The learned counsel for the respondents submitted that the issue involved in these cases have been decided by this Bench in a number of judgments wherein it has been held that the Home Guards do not fall within the jurisdiction of this Tribunal as they do not hold civil posts and has referred to a number of judgments such as OA 1368/98, OA 493/2000, OA 852/2000, OA 377/2001 and OA 336/2001. On going through all these judgments, I find that all these judgments in one voice say that the Home Guards do not fall within the jurisdiction of this Tribunal and as such I think that there is no reason to differ with the reasoning given in the aforesaid judgments.



5. In view of the above, nothing survives in the OAs which are accordingly dismissed. No costs.

Let a copy of this order be placed in all the case files bearing No. OA 2385/2000, 2386/2000 and OA 2387/2000.

(Kuldeep Singh)
Member (J)

Rakesh

Original judgement placed in OA 2385/2000

Attached
File. Instruction
8/5/2001
C.O. CL