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Central Administrative Tribunal
Principal Bench

O.A. No. 763 of 2000

New Delhi, dated this the 25th February, 2002

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Pratap Singh,
S/o Shri Bhola Ram,
R/o Village Dudhola,
P.O. Bhagola, Tehsil Palwal,
Distt. Faridabad.
HaryanaApplicant.

(By Advocate: Shri S.K.Gupta)

Versus

1. Union of India,
through Secretary,
Ministry of Rural Development
(Now Depptt. of Agricultural
and Cooperation),
Ministry of Agriculture,
Krishi Bhawan,
New Delhi.
 2. Director (Administration),
Directorate of Marketing & Inspection,
Head kOffice: N.H.-4,
Faridabad(Haryana)
 3. Joint Agricultural Marketing Advisor,
Branch Head Office,
Directorate of Marketing & Inspection,
New Secretariat Building,
Nagpur.Respondents.
- (By Advocate: Shri S.M.Arif)

ORDER

S.R. ADIGE, VC (A)

Applicant seeks grant of temporary status
followed by regularisation.

2. Pleadings reveal that applicant was engaged
as a daily wage casual labourer on 3.7.95 and worked
as such with breaks in respondents organisation
thereafter. By OM dated 23.6.97 (Annexure A-5)
applicant's engagement ~~is~~ ~~is~~ ~~is~~ ~~is~~ ~~is~~

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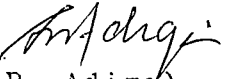
as a part time Sweeper in which capacity he is still continuing.

3. Nothing in DOPT's OM dated 10.9.93 on the grant of temporary status to casual labourers leads me to conclude that it is applicable to cases like the present one, where applicant is engaged for only two hours in a day from 8 a.m to 10 a.m.

4. In OA No.1807/98 filed by applicant earlier, which was disposed of by order dated 16.8.99 there is already an observation that there is no bar to respondents engaging applicant as a Casual Labour subject to availability of work.

5. Upon being so engaged on full time basis, applicant may work out his rights for grant of temporary status in the background of DOPT's OM dated 10.9.93 and for eventual regularisation in accordance with rules and instructions.

6. The OA is disposed of accordingly. No costs.


(S.R. Adige)
Vice Chairman (A)

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