

(4)

**Central Administrative Tribunal
Principal Bench**

C.P. No.530/2014
in
O.A. No.902/2000

New Delhi this the 21st day of January, 2015

**Hon'ble Mr. A.K. Bhardwaj, Member (J)
Hon'ble Mr. V.N. Gaur, Member (A)**

Dharam Pal,
S/o Shri Jai Narain,
R/o T-510/C-58, Baljeet Nagar,
Patel Nagar, New Delhi.

-Petitioner

(By Advocate: Shri Kamal Mehta)

Versus

1. Sh. Shanker Aggarwal,
The Secretary,
Ministry of Urban Development,
Nirman Bhawan, New Delhi-110011.
2. Sh. Diwakar Garg,
The Director General of Works,
Central Public Works Department,
Ministry of Urban Development,
Nirman Bhawan, New Delhi-110011.
3. Shri P.K. Singh,
The Chief Engineer (NDZ-IV),
East Block-I, Level-3
R.K. Puram, New Delhi-110066.
4. Sh. A.S. Sangwan,
Executive Engineer,
East Block-I, Level-3
R.K. Puram, New Delhi-110066.

-Respondents

(By Advocate: Shri Sewa Ram)

A

ORDER (ORAL)

Mr. A.K. Bhardwaj, Member (J) :-

In the present Petition, the applicant has alleged disobedience of the order of this Tribunal dated 09.08.2001 passed in OA No.902/2000 with connected case, wherein a direction was issued to the respondents to consider the case of the applicants for grant of temporary status and regularisation in accordance with scheme applicable for Group D post along with relaxation of age as admissible under the Rules in CPWD. The respondents have issued order No.19/54/2000-EC.X dated 17.12.2014, whereby the proposal to confer temporary status upon the applicant has been approved and it has been provided that he will be regularised in terms of DOP&T OM dated 11.12.2006 w.e.f. 11.12.2006. The order reads thus :-

“Sir,

Please refer to your U.O. Note dated 02.12.2014 dated 02.12.2014 addressed to DDG(HQ) on the subject cited above. The Competent Authority has approved the proposal for grant of temporary status to the following employees on fulfilling necessary conditions in terms of DOPT's OM No. 51016/2/90-Estt (C) dated 10.9.1993 and these workers may be regularized in terms of DOPT OM No. 49019/1/2006-Estt (C) dated 11.12.2006 subject to the availability of post and fulfilling eligibility criteria in terms of statutory recruitment rules for the post.

- 1) Sh. Mahesh Kumar, Beldar 03.04.1991
- 2) Shri Rajendar Singh, Beldar 03.03.1992
- 3) Shri Chaman Singh, Beldar 03.04.1991

A

4) Shri Dharm Pal, Driver	22.11.1992
5) Shri Babu Ram, Driver	05.04.1990
6) Shri Bhim Singh, M.L. Driver	30.03.1990
7) Shri Tribhubhan, Plumber	03.09.1990
8) Shri Amar Singh, Sewerman	10.11.1989

Further the Hon'ble Court may also be requested to direct the workers at Sl. No. (4) to (8) to submit an undertaking to the fact that they are willing to work as group 'D' Beldar. They will thus be paid salary of group 'D' post on regularization from prospective date. However, they will get notional benefit from the date of regularization in Group 'D' post i.e. 11.12.2006.

The Hon'ble Court may also be approached through the Govt. Counsel to get the Contempt Petitions dropped and also to get an order that the above case shall not be quoted as precedence.

Yours faithfully

(Vinod Jindal)
Director (Administration)"

2. In view of the said order, we do not find any wilful disobedience of the order passed by this Tribunal. Accordingly, this Contempt Petition is disposed of. Notices issued to the respondents are discharged. We are sanguine that since the aforementioned order has been passed by the respondents, the benefits admissible to the applicant would be extended expeditiously.

V.N. Gaur
(V.N. Gaur)
Member (A)

A.K. Bhardwaj
(A.K. Bhardwaj)
Member (J)

/rk/