

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

Q.A.W.No.
 T.A.W.No.
 RA 43/90 with
 MP 1125/90 in
 OA 1401/88

199

DATE OF DECISION 31.08.1990.Shri Om Veer Singh

Petitioner

Advocate for the Petitioner(s)

Versus

Union of India & Others

Respondent

Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. P.K. KARTHA, VICE CHAIRMAN(J)

The Hon'ble Mr. D.K. CHAKRAVORTY, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

JUDGMENT

(of the Bench delivered by Hon'ble Mr. D.K.
 Chakravorty, Administrative Member)

The petitioner is the original respondent in CCP 190/89 in OA 1410/88 which was disposed of by judgment dated 19.2.1990. CCP 190/89 was filed by the original applicant in OA 1401/88 stating that the respondents had not complied with the directions contained in the Tribunal's judgment dated 24.5.1989. By the said judgment, the respondents were directed to consider the appointment of the petitioner on regular basis to any Group 'D' post, if any, vacancy is available, subject to fulfilment of other formalities such as verification of character and antecedents, medical examination and the like. This was without prejudice to his case being considered for absorption on regular basis pursuant

to the scheme prepared by the respondents for absorption of casual labourers on a regular basis. Pending this, it was directed that the applicant should be considered for appointment in any vacancy of the casual labourer in the office of the respondents in preference to any person, who may have been inducted after his service has been terminated in April, 1988.

2. The CCP 190/89 was disposed of by the Tribunal directing the respondents to accommodate the applicant in one of the vacancies and consider him for regularisation in accordance with the relevant rules on the subject. The respondents were given 3 weeks time to comply with the directions.

3. The petitioner has stated that there are several Casual Labourers who are senior to the applicant and that the applicant would be considered and appointed to the regular Group 'D' post in his turn and that no junior would be appointed prior to the applicant. The petitioner has prayed for modifying the directions to the effect that the applicant be considered in his turn before his juniors, that his regularisation be considered according to rules only after his engagement as a casual labourer and the consideration period of the applicant be extended till the time his turn comes for appointment in accordance with the seniority and other eligibility conditions rather than any specific time.

4. We have considered the points raised in the review petition. In our opinion, there is no need to modify the orders passed by the Tribunal in OA 1401/88 or in CCP 190/89, as prayed for. The orders passed by the Tribunal are quite clear and explicit. There is no error apparent on the face of the aforesaid orders. The petitioner has also not brought to our notice fresh facts warranting a review of our orders. The petition is, therefore, dismissed.


(D.K. CHAKRAVORTY)

MEMBER (A)


(P.K. KARTHA)
VICE CHAIRMAN (J)