

Central Administrative Tribunal
Principal Bench, New Delhi

CP-299/94 in
OA-2543/91

(19)

New Delhi this the 5th Day of January, 1995.

Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman(J)
Hon'ble Mr. B.N. Dhoundiyal, Member(A)

Sh. Gopal Singh Achora,
S/o Sh. Kajor Mal Achora,
Block No.22, Greater Kailash,
Market-I, New Delhi. Petitioner

(through Ms. Bharti Sharma, proxy counsel for
Mrs. Rani Chhabra, advocate)

versus

1. Sh. R.K. Thakar,
Secretary,
Ministry of Communication,
Department of Telecommunication,
Sanchar Bhawan,
New Delhi.

2. Sh. H.S. Kachotiya,
Superintending Surveyor of Works 11(C),
Department of Telecom,
6th Floor,
Mohan Singh Place,
New Delhi. Respondents

(through Sh. K.C.D. Gangwani, advocate)

ORDER(ORAL)

delivered by Hon'ble Mr. Justice S.K. Dhaon, V.C.(J)

The complaint in this petition is that the directions given by this Tribunal in its judgement dated 2.4.1992 have not been carried out. The directions are contained in paragraph-7 of the judgement. They are, inter alia, that the respondents shall re-engage the petitioner as casual labourer in the vacancy in any of their offices and thereafter his case for regularisation in a suitable Group 'D' post should be considered in accordance with the scheme.

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A counter-affidavit has been filed on behalf of the respondents. It is stated therein that the petitioner has been re-engaged and this fact has not been controverted by the petitioner.

The controversy centres around regularisation. It is the petitioner's own case that he has not been given a temporary status in accordance with the scheme. The scheme is that only those casual labourers who have been given temporary status would be entitled for regularisation in service. The petitioner alleges that he fulfills the requirement of being given a temporary status. In fact, the contention is that he acquired the necessary requisites for being given a temporary status long before but the respondents unreasonably denied that benefit to him.

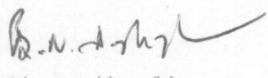
The respondents are directed to consider the case of the petitioner for being given a temporary status. The authority concerned shall apply its mind and shall record the finding as on what date the petitioner acquired the right for being given a temporary status. He shall be given a temporary status from that date and thereafter regularised in service on merits and in accordance with the terms of the scheme. We make it clear that temporary status shall be given to the petitioner in accordance with law.

With these directions, the C.P. is disposed of finally.

Say

Notices issued to the respondents are
discharged.

No costs.


(B.N. Dhoundiyal)

Member (A)


(S.K. Dhaon)

Vice-Chairman

/vv/