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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Repn.No.OA 53/1991 Date of decision:30.04.1992.

Shri Radhey Shyam

....Applicant

Vs.

Union of India and Others

....Respondents

For the Applicant

....Mrs. Subhadra

Chaturvedi, Counsel

For the Respondents

....Shri M.L.

Verma, Counsel

Sh.J.N. Churra,

Asstt. Engineer

CORAM:

THE HON'BLE MR.P.K. KARTHA, VICE CHAIRMAN(J)

THE HON'BLE MR.I.N. DASGUPTA, ADMINISTRATIVE MEMBER

1. Whethar Reporters of local papers may
be allowed to see the Judgment? *Yes*
2. To be referrred to the Reporters or
not? *No*

JUDGMENT(ORAL)

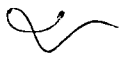
(of the Bench delivered by Hon'ble Shri P.K.

Kartha, Vice Chairman(J))

We have heard the learned counsel of both parties. The prayer contained in this application is that the respondents be directed to regularise the applicant in a Group 'D' post with effect from February, 1983 and that the applicant be given all consequential benefits.

2. The respondents have filed their counter-affidavit opposing the grant of any relief to the applicant on the ground that the application has been filed belatedly and that the applicant has not exhausted the remedies available to him before filing the present application. The learned counsel for the respondents has relied upon numerous rulings in support of the contention of the respondents.

3. We have considered the matter. The respondents have prepared a scheme for regularisation of the casual labourers in the Department of Telecommunication. The scheme is known as Casual Labourers (Grant of Temporary Status and Regularisation) Scheme, 1989. The applicant has

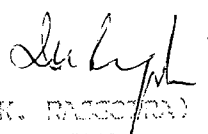


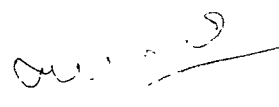
worked for 375 days in the office of the respondents from 02.02.83 to 02.04.84. The applicant has alleged that two persons with lesser length of service have been retained by the respondents while terminating his services. This has been denied by the respondents in their counter-affidavit.

4. After hearing both sides, the application is disposed of with the direction to the respondents to consider the case of the applicant for engagement as well as regularisation in accordance with the scheme prepared by them, referred to above. If case he fulfils the requirements under the said scheme, the applicant shall be given all the benefits under the scheme. The respondents shall comply with the above directions within a period of 4 months from the date of communication of this order. The application is disposed of accordingly.

The interim order already passed directing the respondents to consider engaging the applicant as casual labourer if vacancies exists in preference to his juniors and outsiders is hereby made absolute.

There will be no order as to costs.


(T.K. RAJEEVAN)
MEMBER
02.04.1992


(P.R. KARTHA)
VICE CHAIRMAN (J)
02.04.1992