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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn.No. OA 99/1991

Date of decision: 29.07.1993

Shri Hanumant Singh & Another

...Petitioner

Versus

Union of India & Others

...Respondents

For the Petitioner

...Ms. Bharti Sharma, proxy counsel
for Mrs. Rani Chhabra, Counsel

For the Respondents

...None

CORAM:

THE HON'BLE MR. JUSTICE S.K. DHAON, VICE CHAIRMAN

THE HON'BLE MR. B.N. DHOUNDIYAL, ADMINISTRATIVE MEMBER

1. To be referred to the Reporters or not?

JUDGMENT (ORAL)

(of the Bench delivered by Hon'ble Mr.
Justice S.K. Dhaon, Vice-Chairman)

The only point pressed at the Bar is that having regard to the facts and circumstances of the instant case, the respondents should be directed to consider the cases of the petitioners in accordance with the Casual Labourers (Grant of Temporary Status and Regularisation) Scheme, 1989.

2. A counter-affidavit has been filed on behalf of the respondents.

3. It appears to be an admitted position that both the petitioners were appointed as casual labourers in the A.E. Coaxical Cable Project, Jodhpur. In the counter-affidavit filed, the details of the number of days worked by the petitioners are given. The said details show that Shri Hanumant Singh was employed from June 1985 to 6.1.1991 when he rendered service for 2024 days and Shri Prahalad

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Singh was employed from September, 1987 to 6.1.1991 when he rendered service for 1193 days. In view of the admission made in the counter-affidavit, the contents of the paragraph 5 of the aforesaid scheme are applicable to the cases of the petitioners. The authority concerned shall consider their (the petitioners) cases for re-engagement/regularisation in accordance with the terms of paragraph 5 of the scheme and pass appropriate orders as expeditiously as possible but not beyond a period of 3 months from the date of presentation of a certified copy of this order by any of the petitioners. If the authority feels that either both of the petitioners or any one of them are not entitled to the benefit of the said scheme, they shall record reasons. While giving reengagement to the petitioners, the authority shall give them preference over freshers/juniors to them. The authority shall bear in mind that the Circular dated 22.04.1987 has been struck down by the Supreme Court. We may note that this is a transferred application. Earlier the petitioners approached the Supreme Court under Article 32 of the Constitution.

4. With these directions, this application is disposed of finally but without any order as to costs.

B.N. DHOUDIYAL
(B.N. DHOUDIYAL)
MEMBER (A)
29.07.1993

S.K. DHAON
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VICE CHAIRMAN
29.07.1993

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