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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.530 OF 2004

New Delhi, this the 9th day of March, 2004

HON'BLE SHRI R.K. UPADHYAYA, ADMINISTRATIVE MEMBER

1. Shri Pal
S/o Raj Karan
House No.15/304, Dakshini Puri Extn,
New Delhi-110062.
2. Kishore Kumari Joshi,
S/o Shri D.N. Joshi, Block No.9,
House No.131, Prem Nagar, New Delhi-110003.
3. Smt.Kamlesh w/o Shri Phool Singh,
Jhuggi No.S-140/13, Hauz Khas Pahari,
Hauz Khas Village, New Delhi-110016.
4. Phool Singh S/o Shri Mukh Ram,
Jhuggi No.S-140/13, Hauz Khas Pahari,
Hauz Khas Village, New Delhi-110016.
5. Rattan Kumar S/o Shri Chandrika,
Jhuggi No.S-140/13, Hauz Khas Pahari,
Hauz Khas Village, New Delhi-110016.
6. Shri Gajraj Son of Shri Lekh Ram,
R/o Jhuggi No.44, Anandran Basti,
Lal Kuan, New Delhi.
7. Shri Ganga Ram S/o Shri Bhagwan Dass,
H.No.H496, Dakshin Puri, New Delhi-62.
8. Shri Bachhraj S/o Bhagwati Prasad
R/o Jhuggi No.209, Janta Camp,
Railway Nursery, Bhairon Road,
Pragati Maidan, New Delhi.
9. Thakur Prasad S/o Bhagwati Prasad
R/o Jhuggi No.208, Janta Camp,
Railway Nursery, Bhairon Road,
Pragati Maidan, New Delhi.
10. P.Kanda Swamy S/o Shri Palliny
Jhuggi No.S-68, Kanak Durga Colony,
Sector-12, R.K.Puram, New Delhi-22.
11. Anna Malai S/o Shri Raman
Jhuggi No.570, Kanak Durga Colony,
Sector-12, R.K.Puram, New Delhi-22.
12. Laxman Singh
S/o Shri B.S. Negi,
R/o House No.276-A, Pratap Vihar-I,
Kiran Extn., Nangloi, Delhi-41.Applicants
(By Advocate : Ms.Anu Mehta)

Versus

1. Union of India,
Through Secretary,
Ministry of HRD,
Government of NCT,
Delhi Govt. Secretariat, New Delhi.
2. Director General,
Archaeological Survey of India,
Janpath Road, New Delhi.
3. Superintendent Archaeologist,
Archaeological Survey of India,
Safdarjang Madrasa, New Delhi-3. ...Respondents

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ORDER (ORAL)

Heard learned counsel of the applicants.

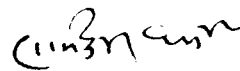
2. The applicants state that respondents be directed to implement the Govt. of India, DOP&T Scheme of 10.9.1993 by granting all the service benefits and entitlement as stated in para i i) of the Original Application. The applicants claim that they were engaged initially on daily wages. They had been working for the past at least 15 years and were conferred temporary status in September 1993. It is also stated that this Tribunal by order in OA No.513/1999 had directed the respondents to grant regularisation in terms of DOP&T Scheme, but even the order of the Tribunal has not been given effect thereby defeating the purpose and intent of Govt. of India's Scheme of September, 1993. It has been stated in this OA that the applicants had made a number of representations to the respondents in writing as well as orally seeking implementation of DOP&T Scheme of 10.9.1993. Such representations have not been disposed of as yet nor the respondents have implemented the said Scheme as per the orders of this Tribunal in OA No.429/1999.

3. Without going into the merits of the claim made by the applicants, it is considered expedient at this stage to direct the respondent to examine the claims of the applicants. This direction is being issued without issuing notice to the respondents as they are not likely to be prejudiced. Respondent No.2

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is directed to treat this Original Application as a representation of the applicants. In view of the assertion that the applicants are not highly educated persons and the records are available with the respondents only, the respondent No.2 is further directed to verify the facts by reference to their own records and decide the claims made in this Original Application with reference to records available with the respondents. For this purpose, the applicants are directed to send a copy of this order alongwith a copy of this Original Application to respondent No.2 as well as a copy of the same to respondent No.3 within 10 days from the date of receipt of a copy of this order. In case the applicants send a copy of the OA alongwith a copy of this order, respondent No.2 is directed to decide the claims made by the applicants by passing a reasoned and speaking order within a period of two months from the date of receipt of the same under intimation to the applicants.~

4. In view of the directions in the preceding paragraph, this Original Application is disposed of without any order as to costs at the admission stage itself.



(R.K. UPADHYAYA)
ADMINISTRATIVE MEMBER

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