

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn.No. OA 1871/1992 and
OA 1872/1992

Date of decision: 08.07.1993

(1) OA 1871/1992

Shri Meena

...Petitioner

Versus

Union of India & Others

...Respondents

(2) OA 1872/1992

Shri Madhuban

...Petitioner

Versus

Union of India & Others

...Respondents

For the Petitioners

...Shri B.K. Batra, Counsel

For the Respondents

...Shri R.L. Dhawan, Counsel

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 controversy raised in both these original applications is similar. The petitioners in these cases have prayed for the same relief. We are, therefore, disposing of these O.A.s by a common judgment.

2. In both the cases the petitioners aver that they are entitled to be considered for regularisation. In the reply filed it is averred that the petitioners abandoned their jobs. Learned counsel for the petitioners states that the names of the petitioners appear on the live casual register.

3. Shri R.L. Dhawan, Counsel appearing on behalf of the respondents has vehemently urged that the petitioners having abandoned their jobs in 1977, the applications filed by them in this Tribunal in the year 1992, is barred by time. If the petitioners really abandoned their jobs, the applications made by them may be considered as barred by limitation. However, the fact that their names appear in the live casual register belies the case of the

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respondents that they abandoned their jobs. The respondents are bound by their own document. In these circumstances, these applications cannot be thrown out as barred by time.

4. The authority concerned shall examine the fact as to whether the names of the petitioners are borne on the live casual register. If that be so, he shall consider the cases of the petitioners for regularisation of their services on merits and in accordance with law and in the light of the relevant scheme. If, however, their names are not included in the live casual labour register, it will be open to the authority concerned to reject the claim of the petitioners for regularisation of their services.

5. With these observations, these applications are disposed of finally but without any order as to costs.

(B.N. DHOUNDIYAL)
MEMBER (A)
08.07.1993

(S.K. DHANON)
VICE CHAIRMAN
08.07.1993

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Attested true copy
Anil Kumar
CO. CH
CAT. P.B. N.D.