

In the Central Administrative Tribunal
Principal Bench, New Delhi

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Regn. Nos.: 1. OA-2811/92
2. CA-2573/92

Date:

12/8/93

1. Shri Satyanarayan Yadav) Applicants
2. Shri Raj Kumar Rai)

Versus

Union of India Respondents

For the Applicants Shri K.L. Bhatia, Advocate

For the Respondents Shri Majoj Chatterjee,
Advocate

CORAM: Hon'ble Mr. J.P. Sharma, Member (Judl.)
Hon'ble Mr. N.K. Verma, Administrative Member.

1. To be referred to the Reporters or not?

(Judgement of the Bench by Hon'ble Mr. J.P.
Sharma, Member)

In both the above noted applications, the grievance of the applicants is common that the respondents have dispensed with their services as casual labourer while retaining their juniors in service. In both the applications, the applicants prayed for the grant of the relief for a direction to the respondents to appoint them on regular basis against Group 'D' posts with all consequential benefits, with payment of salary and allowances on regular basis in the scale of Rs. 750-940. The notices were issued to the respondents who contested the applications.

2. The stand of the respondents is that the applicants are daily-paid workers and have not served for the requisite number of days to be entitled to be regularised in service.

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3. However, during the course of hearing, the learned counsel for the respondents, Shri Manoj Chatterjee, argued that the applicants have since been considered for re-engagement in terms of the interim direction issued by the Tribunal in the order dated 1.10.1992. The learned counsel for the applicant, however, prays for filing an affidavit to that effect. Dr. S.K. Sinha, Director, IARI, Pusa Institute, New Delhi (Respondent No. 2), has filed the affidavit in which it is deposed that both the applicants, Shri Satya Narayan Yadav and Shri Raj Kumar Rai, have been approved for engagement in the event of any vacancy arising. A seniority list of daily-paid labourers who have completed 240 days' service, is also being maintained. In view of that the above facts and circumstances, the relief/could have been allowed to the applicants, stands granted by the respondents and that was the relief which was also prayed by the applicants. Both the applications have, therefore, become infructuous and are dismissed. In case any grievance still remains the applicants are at liberty to avail the same as per law & without rules.

(N.K. Verma)
Member(A)

(J.P. Sharma)
Member(J)

18/1/93

Pronounced by me

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PITAM SINGH
Central Appellate Tribunal
Court of Appeals
New Delhi

(J.P. Sharma)
Member (J).