

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn.No. OA 2889/1992

Date of decision:15.07.1993

Shri Virender Kumar Sharma

...Petitioner

Versus

Union of India & Another

....Respondents

For the Petitioner

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

For the Respondents

...Shri V.K. Rao, proxy counsel for
...Shri P.P. Khurana, 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 prayer is that the Circular dated 22.4.1987 may be quashed. The further prayer is that the respondents may be directed to take back the petitioner in service. Another prayer is that the respondents may grant temporary status to the petitioner in accordance with the scheme prepared by the respondents.

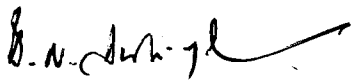
2. The material averments are these. The petitioner was recruited as as casual labourer in the respondents department in March, 1987 and was assigned work under the Assistant Engineer Telephones. He continued to work upto April, 1988. On account of the Circular dated 22.04.1987, his services were discontinued.


.2.

3. It is now an admitted position that the aforesaid Circular has been quashed by the Hon'ble Supreme Court. It is admitted that a scheme has been formulated by the Telecom Department for the purpose of regularising the services of casual labourers. It is not in dispute that the petitioner has not worked with the respondents and his service has been done away with on account of the said Circular.

4. The respondents shall consider the case of the petitioner in accordance with 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 the petitioner. If the authority comes to the conclusion that he (the petitioner) is not entitled to be regularised, it shall record reasons.

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


(B.N. DHOUNDIYAL)
MEMBER (A)
15.07.1993


(S.K. DHAON)
VICE CHAIRMAN
15.07.1993

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