

Central Administrative Tribunal
Principal Bench: New Delhi

...
OA No. 2921/92

New Delhi, this the 5th day of June, 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman (J)
Hon'ble Shri S.P. Biswas, Member (A)

(3)

1. Shri Raghunath
s/o Shri Bishamber Dayal,
r/o H.No. 22, Virender Market,
Nagafgarh, New Delhi.
2. Shri Rajinder Singh
s/o Sh. Tula Ram
R/o RZ-23/F, Dharampura,
Najafgarh, New Delhi.
3. Shri Ram Pal Singh,
s/o Sh. Paltu Ram,
r/o 1196, Sector No.5,
R.K.Puram, New Delhi.
4. Shri Ramesh Kumar,
s/o Shri Om Prakash,
r/o RZ-A/64, Phase-IV,
Prem Nagar, Najafgarh,
New Delhi.Applicant

(By Advocate: Shri Ashok Aggarwal)

-Versus-

Union of India through

1. Secretary,
Ministry of Defence,
Vayusenabad,
New Delhi.
2. The Air Officer Commanding,
Airforce Station, 25 Wing,
Rajokri, New Delhi.Respondents

(By Shri R.V.Sinha, Advocate)

O R D E R (Oral)
(Dr. Jose P. Verghese, Vice-Chairman (J))

There are four petitioners in this case who were employed as Anti Malaria Lascars (AML) and by this OA they are seeking an order from this court not to terminate their services and also for regularisation of their services against vacant posts of AML.

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(A)

Learned counsel for the respondents submits that there has been several decisions by various Benches of this Tribunal and in view of the decision of the Madras Bench and Hyderabad Bench, the respondents themselves have formulated a scheme and have already implemented the same with respect to petitioners in OA-2287/96 in pursuance to two different orders passed by the Principal Bench of this Tribunal in the year 1996 and 1997.

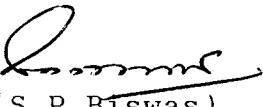
It was also submitted on behalf of the respondents that in view of the recent decision of the Hon'ble Supreme Court in the matter of State of Himachal Pradesh vs. Suresh Kumar Verma and Ors. reported in AIR 1996 SC page 565, no direction can be given for regularisation of the petitioners in this case. In the circumstances of the case, the only direction that can be issued is that since the respondents themselves have formulated a Scheme with respect to these types of employees, the respondents shall consider the case of the petitioners as well in accordance with the Scheme. We are issuing this direction only with a view that this would ultimately end the discrimination towards the petitioners vis-a-vis those persons who have already been considered or are being considered in accordance with the Scheme of the respondents. The respondents shall pass



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appropriate orders in accordance with the Scheme within fifteen days from the date of receipt of a copy of this order.

With the above directions, this OA is finally disposed of with no order as to costs.


(S.P. Biswas)

Member (A)


(Dr. Jose P. Verghese)

Vice-Chairman (J)