

Central Administrative Tribunal
Principal Bench
CP 308/1999 IN
O.A. 1137/1992

New Delhi. this the day of 16th October. 2001.

Hon'ble Shri S.R.Adige, Vice-Chairman(A)
Hon'ble Dr.A Vedavalli, Member(J)

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1. Diwan Singh
2. Krishan Singh
3. Khushi Ram
4. Mahavir Singh
5. Smt. Veena Saiwan
6. Leela Dhar Pandey
7. Damodar Prasad
8. Khem Raj
9. Kulvinder Singh
10. Ram Srringhar
11. Umesh Prasad
12. Nand Kishore
13. Manoj Kumar

All C/o Diwan Singh
S/o Rattan Singh
resident of 258 D.D.A.
Janta Flats, Nand Nagri,
Delhi-93.

...Petitioners.

(By advocate: None)

Versus

1. Shri P.G. Mankad
Union of India
Through the Secretary
Ministry of Information & Boradcasting
Shastri Bhawan, New Delhi.
2. Smt. Surinder Kaur.
The Director,
Publication Division
Ministry of Infromation & Boradcasting,
Patiala House, New Delhi.
3. Shri N.N.Sharma.
General Manager-cum-Chief Editor.
Employment News, Publication Division
Ministry of Information & Boradcasting,
East Block-IV, Level-5, R.K.Puram,
New Delhi-66

...Respondents

(By Advocate: Shri Rakesh Tikku)

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ORDER(Oral)
By Shri S.R.Adige, Vice-Chairman(A)

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None for the applicants.

2. We have heard Shri Rakesh Tikku, learned counsel for the respondents on CP 308/1999 alleging contumacious non-implementation of the Tribunal's order dated 18.11.1992 in OA 1137/92.

3. By the aforesaid order dated 18.11.1992 the respondents had been directed as follows:-

"(i) We direct that the applicants shall be continued to be engaged as casual labourers so long as the respondents need the services of casual labourers and in preference to their juniors and outsiders.

(ii) In case, no vacancies exist in the Publication Division, the applicant should be considered for engagement in other offices in the Ministry of Information & Broadcasting, depending on the availability of vacancies. They should also be considered for regularisation in accordance with the scheme prepared, as mentioned in the judgement of this Tribunal in Raj Kamal's case.

(iii) Respondents are directed not to induct fresh recruits as casual labourers through the Employment Exchange or otherwise, overlooking the preferential claims of the applicants; and"

4. Shri Rakesh Tikku has invited our attention to the respondents' reply, wherein it has been stated that all the applicants are continued to be engaged by the respondents with temporary status, and their claims

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(3)

for regularisation are also being considered in accordance with the relevant scheme as per their seniority in their own turn as and when vacancies ²arise.

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5. In the light of the above, we do not consider it necessary to prolong the present CP, but as applicants are not present we give liberty to them that upon their regularisation in terms of the aforesaid order of the Tribunal, if any grievance still survives it will be open to them to seek revival of the present CP through an MA.

6. Meanwhile, Shri S.C. Saxena, learned counsel invites our attention to the Tribunal's order dated 25.10.2001 in OA 2531/2000, in which the grievance of one of the applicants is that he has been regularised only from a prospective date in 2000 and not from 1992 when his juniors are alleged to have been regularised. Let the aforesaid OA 2531/2000 be listed before appropriate single bench for further hearing on applicant's grievance. On that date the record of the present CP may also be placed before that bench.

7. CP No.308/99 disposed of accordingly.
Notices discharged

A. Vedavathi

Dr. A. Vedavathi
Member (J)

Indira
(S.R. Adige)
Vice-Chairman (A)