

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

...

O.A. No.551 of 1992

Dated New Delhi, this the 26th day of April, 1994

Hon'ble Mr Justice S. K. Dhaon, Vice Chairman(J)
Hon'ble Mr B. K. Singh, Member(A)

1. Shri Roshan Singh
S/o Shri Ram Saran
R/o H.No.561 Mojpur
Shahdhra
DELHI
2. Shri Chotey Lal
S/o Shri Rampal
R/o H.No.8-480, Krishan Nagar
DELHI
3. Dharam Pal
S/o Shri. Ram Pal
R/o H.No.25 Mojpur, Shahdhra
DELHI
4. Shri Suresh Pal
S/o Shri Sukher Singh
R/o H.No. 120-B, Kartar Nagar, Shahdhra
DELHI
5. Shri Hari Ram
S/o Shri Jhapasi Ram
R/o H.No.572-B Mojpur, Shahdhra
DELHI

... Applicants

By Advocate: Mrs Rani Chhabra

VERSUS

1. Union of India
through its Secretary
Ministry of Communications
Department of Telecommunication
NEW DELHI
2. Secretary
Department of Telecommunication
Sanchar Bhawan
NEW DELHI
3. Assistant Engineer
Coaxical Cable Construction
P-5 Master Tara Singh Nagar
JALANDHAR
4. Asst. Engineer
Coaxical Cable Const.
Ambala Cantt.
5. Assistant Engineer
Coaxical Cable
Jalandhar
6. Asst. Engineer Coaxical
Telephone Exchange
MEERUT

... Respondents

By Advocate: None present

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O R D E R (Oral)

Mr Justice S. K. Dhaon, VC(J)

In this OA we have five applicants. They have come out, inter alia, with the following allegations:-

2. They were initially appointed in the Department of Telecommunication as casual workers. While in service with the Department of Telecommunications, they were sent on deputation to Telecommunication Consultant India Limited(TCIL). From TCIL, they were sent to Saudi Arabia and on return from Saudi Arabia, they were repatriated to their parent department by the TCIL. On repatriation to their parent department, they were assigned no work. The letters given by the TCIL with respect to the applicants show that they were in employment with the TCIL on 1.10.89, the date on which the Casual Labourers (Grant of Temporary Status and Regularisation) Scheme came into effect.

3. Counter affidavit has been filed on behalf of the respondents in this case. This has been described as additional reply on behalf of respondents. In this affidavit reliance is placed on the communication dated 25.6.93 from the Government of India, Ministry of Communications, Department of Telecommunication which deals with regularisation of casual labourers engaged for laying of coaxial cables in project circles and dismantling/erection of lines in Railway Electrification Circle after 30.3.85.

4. In the additional reply, it is stated that the aforesaid scheme is applicable to such Daily Rated Mazdoors who were engaged during the period 31.3.85 to 22.6.88 and who are still continuing for such works in projects/Electrification Circles where they were engaged and who are not absent for the last more than

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365 days counting from the date of issue of orders, i.e. 25.6.93. In view of these facts, this OA has become infructuous.

5. It is not the case of the applicants that they were engaged in projects/electrification circles. They were engaged initially in the Telecommunication Department from where they were sent on deputation to TCIL. It appears that the additional reply has been filed under some misconception. We hold that the averments made in the additional reply have no relevance to the present case. We also hold that the aforesaid letter dated 25.6.93 of Govt. of India, Ministry of Communications, has no application to the facts of the present case.

6. We have to-day, (26.4.94) disposed of OA, 2985/91, Surinder Kumar & Ors. Vs. Union of India and Ors. We dispose of this OA in terms of the directions given in the aforesaid OA. The respondents shall strictly adhere to the directions given in the aforesaid OA.

7. With these observations, this OA is disposed of finally but without any order as to costs.


(B. K. Singh)
Member (A)


(S. K. Dhaon)
Member (J)

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