

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No. 314 of 1993

New Delhi, this the 26th day of August, 1997

Hon'ble Mr. N. Sahu, Member (Admnv)

1. Trilok Chand Pandy,
S/o Shri Hira Ballabh,
RZ/1121, Sadh Nagar,
Gali No.10, Palam Colony,
New Delhi-45
2. Charanjit Singh Chahal,
S/o Shri Pritam Singh Chahal,
Sector 12/824, R.K.Puram,
New Delhi -22
3. Khan Mohd. Khan,
S/o Mohd. Safi Khan,
36, Gole Market.,
New Delhi.
4. Kailash Chandra Kirar,
S/o Shri Ramji Lal,
A-2553, Netaji Nagar,
New Delhi.
5. Anand Ballabh Pandey,
S/o late Shri Narain Dutt Pandey,
J-4/14-B, DDA Flats,
Kalkaji, New Delhi-19
6. Ashok Kumar Singh,
S/o Shri Palak Dhari Singh,
Room No.151, Rouse Avenue,
Deendayal Uppadhyay Marg,
New Delhi-2
7. Dileep Kumar,
S/o Shri Ram Sakal Prasad Vikal,
29/3-C, Sector II, DIZ Area,
Type 'C' Gole Market,
New Delhi.
8. Jagdish Kumar,
S/o Shri Mansa Ram,
C/o Shri Bishambhar Singh Rathi,
Village Rajpur, P.O. Mehrauli,
New Delhi.
9. Ram Naresh,
S/o Shri Trabhavan,
Kothi No.36, Servant Quarters,
Canning Lane, New Delhi.

- APPLICANTS

(By Advocate - Shri Shiv Kumar)

Versus

1. Union of India,
through the Secretary,
Ministry of Information & Broadcasting,
Shastri Bhawan, New Delhi

2. The Director General,
All India Doordarshan,
Mandi House, New Delhi.

3. The Director,
Delhi Doordarshan Kendra,
Parliament Street,
New Delhi.

4. The Dy. Director (Admn.),
Delhi Doordarshan Kendra,
New Delhi.

- RESPONDENTS

(By Advocate - Shri S. Mohd. Arif)

JUDGMENT (Oral)

By Mr. N Sahu, Member (Admn)-

The prayer in this Original Application is to quash decision dated 29.1.1993 (Annexure-22) and to direct the respondents to appoint the applicants as Floor Assistant on the basis of the panel/final eligibility list of Floor Assistants with all benefits. The further direction sought is for payment of salary at the minimum of the pay scale of the Floor Assistant on the basis of the number of days worked during the month from the date of their first booking.

2. The applicants in brief require enforcement of the rules relating to the regularisation in the post of Floor Assistant. Their grievance is that they have been working as Floor Assistants since 1986-87 and their names find place in the final eligibility list prepared in pursuance of the scheme formulated in compliance to the directions of the Apex Court and the Principal Bench of the Tribunal in OA 563/86.

[Signature]

3. I have heard extensively the learned rival counsel. There is no dispute on facts. As the matter stands, there is a combined eligibility list of casual Floor Assistants prepared as on January, 1995. The applicants find themselves in the eligibility list as follows -

1. Trilok Chand Pandey - 82
2. Charanjit Singh Chahal - 93
3. Khan Mohd. Khan - 76
4. Kailash Chandra Kirar - 86
5. Anand Ballabh Pandey - 50
6. Ashok Kumar Singh - 88
7. Dileep Kumar - 94
8. Jagdish Kumar - 62
9. Ram Naresh - 90

The respondents state that already 47 persons of this list in order seniority have been absorbed. There is also an ineligibility list of casual Floor Assistants, a copy of which has been handed over in the course of the arguments. Fortunately the applicants in this OA do not figure in this ineligibility list. Therefore, nothing much need to be made out from the ineligibility list for the disposal of this OA.

4. After carefully hearing the rival counsel the following directions are made:

(i) The respondents have already absorbed 47 persons in accordance with the eligibility list in order of seniority and in accordance with the scheme formulated for this purpose. The applicants must await their turn to seek absorption. As and when their turn comes, they shall be considered for absorption.

(ii) The applicants are even now continuing to work as Floor Assistants for 10 days in a month, of course, by virtue of this Court's order. It is submitted by the respondents that this position will continue as long as there is work available. The respondents, therefore, are directed to continue the applicants as Floor Assistants in the same manner as before till such time work is available with them. No freshers or outsiders shall be considered as substitutes for their job till they are absorbed.

5. The learned counsel for the applicants at the bar agreed not to press for the relief at para 8(c) of the OA with a liberty to file fresh OA, if necessary. Permission granted.

6. The Original Application is disposed of with the above directions. The parties shall bear their own costs.

Transcriber
(N.Sahu)
Member (A)

rkv.