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CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE ^{15th} DAY OF APRIL 1997

Original Application No. 207 of 1997

HON.MR.JUSTICE B.C.SAKSENA,V.C.

Omkar Singh, S/o Nathu singh
R/o Parsaura, Datawali, Aligarh

Applicant

(By Advocate Shri A.K. banerjee)

Versus

1. Union of India through
The Chairman Telecom Commission
20, Ashok Marg
New Delhi
2. The Telecom District Manager
Aligarh
3. The Sub-Divisional Officer
Telegraph, Aligarh

O R D E R (Reserved)

JUSTICE B.C.SAKSENA,V.C

I have heard the learned counsel for the applicant when the case came up for orders as regards admission. The applicant was engaged as a casual labour. He has worked on his own showing in different spells. His last working was upto 30.11.94. The learned counsel for the applicant submitted that the applicant was entitled to be given benefit of temporary status and regularisation since he has put in more than 240 days of service.

It was put to the learned counsel for the applicant to indicate the basis for the claim for being granted temporary status by a casual labour under the P&T department. It was indicated to the learned counsel that the concept of temporary status is applicable to railway servants only in view of the provisions in the Railway Establishment Manual. The learned counsel for the applicant was unable to show any statutory provision or executive instructions issued by the P&T department

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whereby such a claim could be made. The applicant has sought the relief of a direction to the respondents to reinstate him as temporary status gained casual labour. A further relief prayed for is for a direction to the respondents to regularise his services in his due turn. The applicant also prayed for a direction to pay the back wages with all consequential benefits. Surprisingly the order of termination has not been challenged. Until the same is adjudicated and found to be contrary to law a direction for reinstatement cannot be given. Documents on record show that the applicant's name figures in the Live Casual Labour Register. The applicant has not indicated that any casual labour whose name is below the name of the applicant in the said register have been reengaged. There is no reason to believe that the respondents will not consider reengaging the applicant on the basis of the position where his name figures in the Live casual labour register.

3. In view of the above, the OA lacks merit and is dismissed summarily subject to the above observations.

Boesak
Vice Chairman

Dated: April. 15th 1997

Uv/