

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 24th day of December 2001

Diary Number 6564 of 2001
Original Application no. 1594 of 2001

Hon'ble Mr. Rafiq Uddin, Judicial Member
Hon'ble Maj Gen K.K. Srivastava, Administrative Member.

1. Munna Lal, S/o Sri Heeralal,
R/o Village Khanpur, P.O. Bhav Pur,
Kanpur.
2. Santosh Kumar, S/o Sri Ganga Prasad,
R/o 12/10 Narain Das Ka Hata, Gwal Toli,
Kanpur.
3. Shiv Dutt, S/o Sri Kallu,
R/o 85/181 Laxmipurva Kanpur City.
4. Ashok Kumar, S/o Sri Parashu Ram
R/o 133/784, Naypurva Transport Nagar,
Kanpur.
5. Kanhaiyalal, S/o late Sri Chhotey Lal,
R/o 14/19 Civil Lines, Gwaltoli,
Kanpur.
6. Ajay Kumar, S/o Sri Bal Krishna,
r/o 20/203, Chatai Mohal,
Kanpur Nagar.
7. Baijnath Prasad, S/o late Sri Gokul Prasad,
r/o 22/3 Chainsukh Ka Hata,
Kanpur.

... Applicants

By Adv : Sri RP Singh

Versus

1. Union of India through Secretary Ministry of Defence,
Army Headquarter, D.H.Q. P, New Delhi.

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2. The Air Officer Commanding in Chief,
Head Quarter Maintenance, Indian Air Force,
Vayu Seva Nagar, Kanpur.
3. Commissioning Officer,
402, Air Force Station,
Chakeri, Kanpur.

... Respondents

By Adv :- Sri R. Sharma

O R D E R

Hon'ble Mr. Rafiq Uddin, JM

The applicants have filed this O.A. seeking quashing of advertisement dated 20/26-10-2001 (Ann. 6) so far as it relates to the selection of post pertaining to 402 Air Force Station, Chakeri, Kanpur (Respondent no. 3) and also for issuing direction to the Air Officer, Commanding in Chief, Head Quarter Maintenance, Indian Air Force, Vayu Seva Nagar, Nagpur (resptd no. 2) to regularise their services in Group 'D' post of Luscars or allied posts.

2. It is stated that the applicants had filed O.A. no. 1614 of 1993 alongwith two other persons nemely Rajendra Prasad and Chandra Shekhar for considering their names for absorption on regular basis in accordance with their seniority on the post of Anti Malaria Luscars. Directions were issued to the respondents to prepare notional seniority list as per provision contained in the scheme namely Anti Malaria Luscars Known as grant of temporary status and seasonal regularisation scheme of IAF 1997 and to consider the case of the applicants for grant of temporary status or regularisation in accordance with the provisions of the scheme. It is stated

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that 2 persons namely Rajendra **Prasad** and Chandra Shekhar, out of nine applicants were absorbed, but the applicants have not been considered for absorption or for grant of temporary status. It is claimed that the applicants' claim was rejected by the respondents vide order dated 24.12.1993 (Ann. A-5) interalia on the ground that there was no regular vacancy of seasonal Anti Malaria Luscars and employment against Group 'D' post was irregular. It was further stated that there was no fund or requirement of work other than during Anti Malaria season. However, the respondents have now advertised 26 vacancies of Group 'D' posts. The applicants have also submitted their representation dated 26.11.2001 before respondent no. 3, Commissioning Officer, 402, Air Force Station, Chekari, Kanpur, but the same is still pending and no decision has been taken.

3. We have heard learned counsel for the parties and perused the records.

4. Learned counsel for the applicants submitted that the O.A. may be disposed of with the permission to the applicants to represent ~~aafresh~~ before the competent authority for considering their names for absorption in Group 'D' post including relaxation of age.

5. We accordingly dispose of this O.A. with the permission to the applicants to file a fresh representation before respondent no. 3 for consideration and for passing

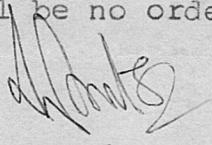
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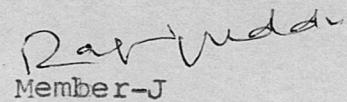
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reasoned order within a period of 4 months from the date of receipt of such representation alongwith copy of this order.

6. There shall be no order as to costs.



Member-A



Member-J

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