

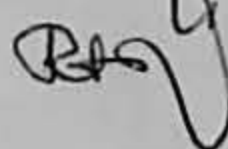
CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 31st day of JANUARY 2005.

ORIGINAL APPLICATION NO. 1613 of 2001.

HON'BLE MR JUSTICE S.R. SINGH, VICE CHAIRMAN
HON'BLE MR S.C. CHAUBE, MEMBER (A)

1. Nanhu Ram Yadav, S/o late J.R. Yadav,
Posted as Assistant Instructor,
Carpet Weaving Centre Monari,
Varanasi.
2. Hari Shanker Yadav, S/o Shri Udal,
Posted as Assistant Instructor,
Carpet Weaving Centre Monari,
Varanasi.
3. Lalji, S/o Sri Ram Lakhan,
Posted as Assistant Instructor,
Carpet Weaving Centre Monari,
Varanasi.
4. Sushil Chandra Maurya, S/o Shri B.G. Maurya,
Posted as Assistant Instructor,
CSU Aurai, Sant Ravidas Nagar,
Bhadohi.
5. Jamuna Prasad, S/o Sri Thengai,
Posted as Assistant Instructor,
CSU Aurai, Sant Ravidas Nagar,
Bhadohi.
6. Ram Bali, S/o Sri Sohan Lal,
Assistant Instructor,
CSTC, Paterawa, Nai Bazar,
Varanasi.
7. Nand Lal, S/o late Bhothi Ram,
Posted as Assistant Instructor,
Carpet Weaving Training Centre,
Lamuha.
8. Awadh Narayan Updhayaya, S/o late Amar Nath Updhayaya,
Posted as Assistant Instructor,
Carpet Weaving Centre



2.

9. Ramdas, S/o Sri Bishwa Nath Vishwakarma,
Posted as Assistant Instructor, C.S.U. Aurai,
Sant Ravidas Nagar, Bhadohi.
10. Ram Prasad, S/o Sri Ram Lakhan,
Posted as Assistant Instructor, CSU Aurai,
Sant Ravidas Nagar, Bhadohi.
11. Bilagu Ram Pal, S/o Late Parawan,
Posted as Assistant Instructor, R.C.S.,
Ashapur, Varanasi.

... Applicants

By Adv : Sri Vikas Budhwar

V E R S U S

1. Union of India, through the Secretary,
Ministry of Textiles, Udyog Bhawan,
New Delhi.
2. The Development Commissioner (Handicraft),
West Block VII,
New Delhi.
3. Director Central Region Office of Development Commissioner
(Handicraft) E-46 Maha Nagar Extension,
Lucknow.
4. Assistant Director, Service Centre,
Indra Nagar, Bareilly.

... Respondents

By Adv : Sri R. Sharma

O R D E R

By Justice S.R. Singh, VC.

This OA has been instituted by the applicants
for the following reliefs :-

- "a. ... to issue a order or direction to the respondents
to consider the case of the applicants for
confirmation and regularisation on the post of
Assistant Craftsman/Assistant Instructor in the

Regd

...3/-

3.

pay scale of Rs. 260-400, revised to Rs. 950-1500 and further revised to Rs. 3000-4590.

- b. to issue a order or direction commanding the respondents to regularise and confirm the services of the applicants and to grant them all consequential benefits as well as promotional benefits for which the applicants are entitled.
- c. to issue a order or direction in the nature of mandamus commanding the respondents to consider the case of the applicants and to pay regular pay scale as admissible to the regular employees and to grant all consequential benefits alongwith the arrears for which the applicants are entitled.
- d. to issue a writ, order or direction in the nature of mandamus commanding the respondents to grant promotional benefits to the applicants in the pay scale of Rs. 1200-2040 i.e. revised to Rs. 4000-6000 in pursuance of the order dated 9.8.1999 as the similarly situated persons have been granted promotional benefits in the aforesaid scale and to award interest to the applicants for the delay caused by the respondents at the rate of 18% per annum.
- e. to issue any other order or direction as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.
- f. Award costs to the applicants."

2. In para 12 of the counter affidavit, it has been stated that the applicants have been regularised on the post of Assistant Instructor w.e.f. 3.10.1985 and they are drawing regular pay scale and other benefit as per rules. In para 13 of the counter affidavit, it has been stated that the benefit of ACP Scheme has already been granted to all the applicants w.e.f. 09.08.1999 vide order dated 30.01.2002 in the next higher grade i.e. 4000-6000.


Regd

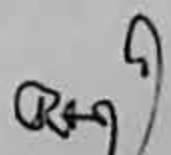
4.

Copy of the order dated 30.01.2002 has been annexed as annexure CA 1 to the counter affidavit. Similar averments are made in para 14 and 15 of the counter affidavit. These averments have not been controverted, though the counter affidavit was served on learned counsel for the applicant on 25.07.2002.

3. In the circumstances, therefore, the grievance of the applicants no longer survives. The OA has thus been rendered infructuous and dismissed accordingly.

4. There shall be no order as to costs.


Member (A)


Vice-Chairman

/pc/