

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO. 442 OF 2004

ALLAHABAD THIS THE 19th DAY OF NOVEMBER 2008

HON'BLE MR. JUSTICE A. K. YOG, MEMBER-J
HON'BLE MRS. MANJULIKA GAUTAM, MEMBER-A

1. Om Pal Singh Son of Late Sri Pyaray Lal,
Aged about 23 years.
2. Dharam Singh Son of Sri Rich Pal,
aged about 29 years.

(Both the resident of village-Kudiya Garhi,
Post Office-Dasa, District-Ghaziabad).

..... Applicants

By Advocate : Shri R.K. Pandey & Shri R.P. Singh

Versus

1. Union of India through Secretary,
Ministry of Health Family Welfare Red-Cross,
Annexe Building, New Delhi.
2. Director Pharmacopocial Laboratory for Indian
Medicine CGO Complex, Kamla Nehru Nagar.
Ghaziabad.

..... Respondents

By Advocate : Shri S.C. Mishra and Shri A. N. Shukla

O R D E R

DELIVERED BY JUSTICE A. K. YOG, MEMBER-J

1. Heard learned counsel for the parties and perused the pleadings. The applicants (Om Pal Singh and Dharam Singh) who have joined together in single OA have approached this Court for quashing order dated 06.02.2004 and 22.02.2004 whereby respondent department has advertised the post of Daily wages worker.

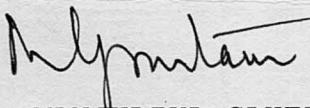
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2. Admittedly applicants were engaged as Daily Wager. In view of the admitted position, it is not denied before us that now applicants are not working as Casual Labourers. The applicants are at best understandable position to claim reliefs to the extent that respondent department should consider their case in terms of 'Regularization Rules', if any.

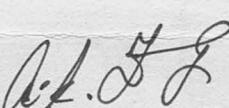
3. The applicants have also prays for issuing a writ of mandamus directing concern respondent-authorities to regularize their services. No such direction can be given by this Tribunal at this stage since the Applicants have not approached the Respondents for considering their grievance on the above Score.

4. The applicants are therefore, directed to file a comprehensive representation, before concerned Authority on that score and there is no reason to believe as on date for us to believe or to presume that respondent authority shall not consider their grievance, if warranted of in law with regard to regularization in service of the applicant in accordance with law.

4. With the above observations, OA is dismissed. No Costs.


(MRS. MANJULIKA GAUTAM)

Member-A


(JUSTICE A. K. YOG)

Member-J

/ns/