



Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD**

ORIGINAL APPLICATION NO.1330 of 2005

Allahabad, this the 07th day of July, 2008

Hon'ble Mr. N.D. Dayal, Member-A

Hon'ble Mr. Ashok S. Karamadi, Member-J

1. Dinesh Prasad, S/o late Ram Govind Prasad.
 2. Lal Chand Singh, S/o Late Chhotey Lal Singh.
 3. Vinod Kumar, S/o Late Sri Lallu Sahu.
 4. Uma Shanker Shukla, S/o Sri Rama Shaker Shukla.
 5. Muzahid Khan, S/o late Sri Haji Altaf Khan.
 6. Chhedi Ram, S/o Sri Sukhdev.
 7. Shiv Pratap Yadav, S/o Sri Kali Charan Yadav.
 8. Shitla Prasad, S/o late Sri Ram Adhar Prasad.
 9. Dev Saran Yadav, S/o Sri Baba Ram Yadav.
 10. Nand Lal Prasad, S/o late Sri Sita Ram.
- ...Applicants.

(By Advocate: Shri G.K. Gupta)

Versus

1. Union of India, through the Secretary Ministry of Communication, Department of Posts & Telegraphs, Government of India, New Delhi.
2. The Postmaster General, Zonal Office, Allahabad.
3. The Superintendent of Post Offices, West Division, Varanasi.

...Respondents.

(By Advocate: Sri S. Singh)

ORDER

N.D. DAYAL, MEMBER-A

The learned counsel for the applicants submits that the applicants are seeking direction upon the respondents to regularize them, because they are already working under temporary status, and accordingly extend the consequential benefits to them.

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2. It is pointed out that the applicants were C.P. Chowkidar with temporary status. There was a judgment of Apex Court dated 27.10.1987 on the basis of which the applicants are seeking appointment, but they have not come to the Court for the last 20 years and for which there was no plausible reason. However, it is next submitted that the applicants have been granted temporary status and, therefore, be extended the benefit of Scheme of 1993 for Grant of Temporary Status and Regularization.

3. The learned counsel for the respondents submits that in accordance with the averments contained in the Counter Affidavit, the applicants are to be considered for appointment in accordance with Rules of 2002 as per percentage specified therein. The learned counsel for the applicant states that these are Recruitment Rules and the Scheme grants two vacancies out of three for those with temporary status

4. Without going into the Scheme of 1993 and Rules of 2002, it is felt that it is for the respondents to consider the applicants' case based upon the fact that they are already having temporary status and consider their case for regular appointment in accordance with the scheme/Rules within a stipulated period of time. Let the respondents consider the applicants' case for regular appointment in accordance with the Rules/Scheme for grant of Temporary Status and Regularization 1993 and inform them of the present status of the case for such appointment within a period of three months from the date of receipt of a certified copy of this order.

5. The O.A. stands disposed of in the above terms with no order as to costs.


MEMBER-J


MEMBER-A