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CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH, ALIHAABAD

....

Registration T.A. No. 714 of 1986

(arising out of O.S.No. 552 of 1984)

Bhagwan Dass and 21 others ... Plaintiffs-Applicants

vs.

Union of India and others ... Defendants-Respondents

Hon' Mr Justice Kamleshwar Nath, V.C.

Hon' Mr K.J. Raman, A.M.

The regular civil suit described above is for a declaration that the order dated 17-4-1984 removing the plaintiffs from services as casual labour with effect from 18-5-1984 is null and void and that the plaintiffs continue to be working on that post with benefits of salary and allowances.

2. Shri V.K. Burman learned counsel for the applicants and Shri P.N. Katju learned counsel for the Defendants/Respondents are present and have been heard. Shri Burman says that he does not represent all the applicants. However, the counsel for the remaining plaintiffs is not available.

3. When the case was taken up on 16-1-1990, Shri P.N. Katju, counsel for the plaintiffs/respondents stated that all the plaintiffs/applicants except one Yagya Deo Plaintiff-applicant No.21, have been given employment on the basis of temporary/permanent capacity and that Yagya Deo x was not traceable. Shri V.K. Burman is also not aware of the situation with regard to Yagya Deo. He, however, says that a number of persons who are junior to the applicants, were retained in service, while the applicants were terminated, and accordingly the applicants were discriminated against as set out in para 3 of the Plaintiff. The allegation of

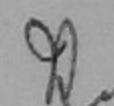
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discrimination is denied in para 3 of the written statement and it is stated that seniority of the casual labourers is determined subordinate office-wise and as per classification appearing in letters specified in that paragraph. On the material on record, we do not find it is possible to arrive at a definite conclusion on this point. We, therefore, dispose of this plaint/application with the observation that it will be open to the applicants to make a representation within a period of one month from today to the Defendants/respondents for consideration of their claims regarding seniority and for granting such benefits to them to which they may be found entitled. If the representations are made, they will be disposed of within 4 months from the date of the receipt thereof.



MEMBER (A)

(sns)



VICE CHAIRMAN

March 27, 1990

Allahabad.