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Court No.1

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration O.A. No.908 of 1987

Balbhadra &amp; Others .... Applicants

Versus

Union of India &amp; Others.....Respondents

Hon. Mr. Justice U.C. Srivastava, V.C.

Hon. Mr. A.B. Gorthi, Member (A)

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicants are working as Casual Labours in the Loco Shed Tundla. They were working as Casual Labours prior to the year 1978. Earlier they worked in Construction Department in 1983. They joined Loco Shed, Allahabad Division. They were engaged as substitutes during the implementation of scheme of engaging substitutes on the basis of pre 1978 working. Admittedly, they have been working continuously number of times for more than 4 months. They attained temporary status. Their grievance is that having attained temporary status they are entitled to various allowances, facilities and privileges.

2. Against their non regularisation, they approached the authorities repeatedly. In the year 1984, they were screened for the first time. According to the respondents they were not found fit and consequently their name was not included in panel for absorption in regular service. It appears that they were not screened again but this time also they were not included in the panel. Obviously, they have been

working for the last several years and they cannot be thrown out of service having obtained temporary status but merely because they have not been found fit for inclusion when the panel was prepared earlier, and that will not close the chapter. They can even now be screened. Let them be screened and atleast two more opportunities be given to them. In case they succeed in the same they may be placed on the panel otherwise they may be dealt with in accordance with law. So long as vacancies are available, no one is to be preferred over them. No outsider or one who became casual labour after them will replace them. With the above directions, the application is disposed of finally. There will be no order as to costs.

*J. M. N. Singh*  
Member (A)

*L.*  
Vice Chairman

Dated the 16th May, 1991.

RKM