CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

(1) O.A. 704/88

Ram Kewal — Applicant.

versus

Union of India & ors — Respondents.

(2) O.A. 705/88

Rameshwar — Applicant.

versus

Union of India & ors. — Respondents.

(3) O.A. 706/88

Mahesh Kumar — Applicant

versus

Union of India & ors. — Respondents.

(4) O.A. 707/88

Moti Singh — Applicant

versus

Union of India & ors. — Respondents.

(5) O.A. 708/88

Phool Chand — Applicant

versus

Union of India & ors. — Respondents.

(6) O.A. 709/88

Krishna — Applicant

versus

Union of India & ors. — Respondents.

(7) O.A. 710/88

Kali Charan — Applicant

versus

Union of India & ors. — Respondents.

Hon. Mr. Justice K. Nath, Vice Chairman.
Hon. Mr. A.B. Gorthi, Administrative Member.

(Hon. Mr. Justice K. Nath, V.C.)

4

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The above 7 Original Applications, filed under section 19 of the Administrative Tribunals Act, 1985, involve the same question of law and fact, for quashing the respondents' order by which the applicants were ceased from duty as casual labour, with effect from 3.12.86 in respect of applicants in O.As 704/88, 706/88, 707/88, ~~708/88~~ and 709/88, with effect from 5.12.86 in respect of applicants in O.A. 705/88 and with effect from 31.12.86 in respect of applicants in O.A. 708/88, and for being held to have continued in service. Shri V.K. Goel has made appearance on behalf of all the respondents. The respondents were given sufficient opportunity to file reply, but they have not.

2. Shri H.P. Chakravarti, appearing on behalf of applicants refers to the application dated 3.1.1987 (Annexure A-2) in which it is mentioned that the applicants had been ceased from working without any notice or written order and that on enquiries ~~or~~ they were informed that they had been terminated because their casual labour cards were found to be bogus.

3. It is not stated on behalf of the respondents that the services of the applicants have been terminated for any other reasons. We, therefore, proceed on the basis that the services were terminated on the view of the respondents that the applicants' re-engagement was on the basis of bogus casual labour card. It is found that the applicants were ceased without any opportunity to show cause.

4. A number of cases of this type have figured before this Tribunal and have been disposed of

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with the direction to the respondents to reinstate the applicants without back wages with liberty to institute an enquiry as may be considered appropriate for finding out whether the casual labour card was genuine or not.

5. This petition is disposed of with the direction to the respondents to reinstate the applicants within a period of one month from the date of receipt of a copy of this judgment without payment of back wages with liberty to institute such enquiry in the matter of determination of the applicants' casual labour cards to be genuine or otherwise, as the competent authority may consider appropriate. A copy each of this order be kept on the above files.

A.M. V.C.

Allahabad

Dated: 11.2.91.