

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

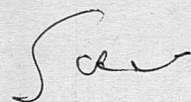
Original Application No. 751 of 2000

Allahabad this the 04th day of May, 2001

Hon'ble Mr.S.K.I. Naqvi, Member (J)

1. Puran Chand Son of Shri Chure Lal R/o House No.7/28 Tulsi Chabutra, Tajganj, District Agra.
2. Madan Singh Son of Shri Jatan Singh, R/o House No.93/329-A, Sikandra, Agra-102007
3. Noor Mohammad Son of Shri Bylakha Khan, R/o 10/15 Godhai Mandi, Lalganj, Agra.
4. Hira Lal Son of Shri Ram Prasad, Village Maidu Post Maihu, District Hathras (Aligarh).
5. Nathu Singh S/o Shri Ram Prasad R/o House No. 17/210 Chowk Chandra Huwan, Tajganj, Distt.Agra.
6. Niroti Lal S/o Shri Lal Ram R/o 21/109/135 Rajiv Nagar, Tajganj, Agra.
7. Faiyaz Beg S/o Shri Rais Beg, R/o House No.4/6/1 Resham Qadam, Tajganj, Agra.
8. Aslam Son of Banney Khan R/o 6/101 Chaursha Khaddar Bhandar, Distt. Agra.
9. Lila Singh Son of Shri Ganga Ram R/o House No. 17/140 Chauk Chandara Kuwan, Tajganj, Distt.Agra.
10. Durga Prasad Son of Shri Pati Ram R/o 11/84 Gudhai Mandi, Tajganj, Agra.

....pg.2/-



11. Mahesh Chand S/o Shri Chhedi Lal R/o House No. 11/75 Gudhaimandi, Tajganj Agra.
12. Rambir S/o Shri Vijai Singh.
13. Raghuwar Singh S/o Shri Ram Murti, both r/o House No. 43/325-A, Sikandara, Agra-282007.
14. Rakam Singh S/o Shri Sher Singh R/o Village Mahun, Post Maihun, Distt. Hathras, (Aligarh).
15. Kumar Pal S/o Shri Bhagirath, R/o Village Maihun, Post Maihun, Distt. Hathras (Aligarh).
16. ~~Ma~~Raju S/o Shri Pirtam Singh R/o House No. 7/120 Tulsi Chabutra, Tajganj, Distt. Agra.
17. Pappu S/o Shri Vedriya, I
18. Om Prakash S/o Shri Ramji Lal I
19. Gyan Singh S/o Shri Ramji Lal I
20. Chito S/o Shri Sona. I
21. Udai Singh S/o Shri Ram Swarup. I
22. Rajbir Son of Shri Ramji Lal. I
23. Devi Singh S/o Vidriya. I
24. Man Singh S/o Shri Prabhati, I
25. Jagdish S/o Shri Ramji Lal I

Applicants

By Advocates Shri Satish Dwivedi,
Shri Anil Dwivedi.

Versus

1. Union of India through the Secretary, Ministry of Human Resource Development, Department of Culture, Government of India, New Delhi.
2. The Director General, Archaeological Survey of India, Janpath, New Delhi.
3. Superintending Archaeologist, Archaeological Survey of India, Agra Circle, 22 Mal Road, Agra.

Respondents

By Advocate Shri R.C. Joshi

...pg. 3/-

Law

O_R_D_E_R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

The applicants 25 in number are all Masons in the respondents establishment and working as such for a good long period of time and have worked from 07 to 11 years for 240 or more days in an year. They have come up seeking direction that they be given temporary status and their services regularised as such.

2. The respondents have contested the case, filed counter-reply mainly on the ground that the applicants are working in Mason cadre which comes under Group 'C' and not Group 'D', therefore, they are not entitled to get temporary status. It has been clarified that the temporary status is granted to only class 'D' employee.

3. Heard counsel for the parties and perused the record.

4. I find the defence taken on behalf of the respondents is not tenable. There is no such rule or law that Masons, being group 'C' employee, cannot be given temporary status and, therefore, matter requires to be re-examined by the competent authority in the respondents establishment.

5. For the above, the O.A. is decided with the direction that the respondents shall re-examine the case of the applicants within 4 months from the date of communication of this order and accord them

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temporary status and if found fit, they be brought on the list of employees who have been granted temporary status and also be considered for regularisation at their turn subject to their eligibility, availability of the vacancies and entitlement as per rules and in accordance with their seniority. No cost.

See major
Member (J)

|M.M.|