

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 30th day of May, 2002.

Original Application No.502 of 2002.

CORAM :-

Hon'ble Mr. C.S Chadha, A.M.

Jaipal Kashyap S/o Sri Bholey Ram,  
R/o Village Sunor,  
Post Office-Sundari,  
District Bareilly.

(Sri PK Kashya, Advocate)

..... Applicant

Versus

1. Union of India through Secretary,  
Indian Council of Agricultural Research (ICAR)  
Krishi Bhawan, New Delhi.
2. Director, Indian Veterinary Research Institute,  
(IVRI), Ijjat Nagar, Bareilly.
3. Incharge, Live Stock Production and Management  
(IVRI) District Bareilly.

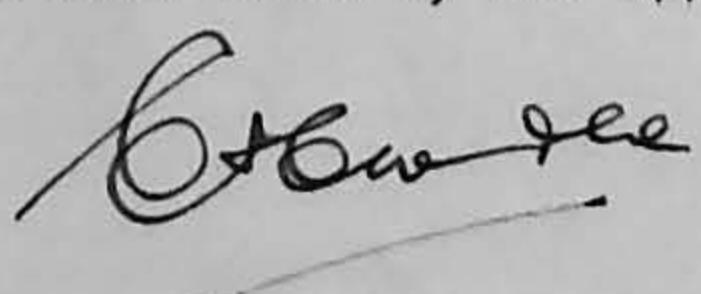
(Sri NP Singh, Advocate)

..... Respondents

ORDER (Oral)

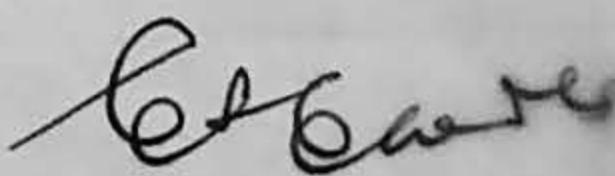
By Hon'ble Mr. CS Chadha, AM

The case of the applicant is that he applied for temporary status by virtue of his continuously working as casual labourer since 21-1-1993 and in accordance with the details given in Annexure-A-1. The applicant had submitted his application for being given temporary status which has been cursorily rejected by the impugned order dated 11-3-2002 wherein it has been mentioned that since the case has been filed by the applicant in the Hon'ble



High Court of Judicature at Allahabad, no decision would be taken in his case till the said petition is decided. The learned counsel for the applicant has averred that the said writ petition has been decided since a long time. As per Annexure-A-4, the Hon'ble High Court has already passed orders in the writ petition no.34493/1992 on 16-9-1992. Learned counsel for the applicant has, therefore, prayed that the respondents have committed a serious mistake by not considering this question on a false ground. However, since no counter affidavit has been filed it is difficult to assess the total number of working days and whether there is any serious difficulty with the respondents in giving him temporary status as claimed by the applicant. In my opinion, ends of justice will be met by giving a direction to the respondents to consider afresh the representation of the applicant, keeping in mind that no writ petition is pending in the High Court as averred by the counsel for the applicant and the said representation should be decided within one month in accordance with rules as applicable to such employees.

2. The DA is, therefore, disposed of with a direction to the respondents to consider and decide the representation of the applicant in accordance with rules within a period of one month from the date of receipt of a copy of this order. There shall be no order as to costs.



Member (A)

Dube/