

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 9th day of February, 2004.

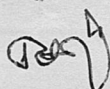
QUORUM : HON. MR. JUSTICE S.R. SINGH, V.C.

HON. MR. D. R. TIWARI, A.M.

O.A. No. 369 of 2003

1. Prithavi Pal S/O Late Mothi Ram.
2. Hira Lal Maurya S/O S-hri Ram Naresh Maurya.
3. Ram Dular Yadav S/O Late Sarju Prasad Yadav.
4. Jagnu Ram S/O Late Ram Kishun.
5. Mewa Lal S/O Mahi Pal.
6. Rampati Maurya S/O S-hri Ram Dular Maurya.
7. Ram Gareeb S/O Late Ram Niranjana.
8. Baijnath S/O Shri Ram Kishore Mishra.
9. Ram Dev Maurya S/O Shri Ram Nath Maurya.
10. Kamta Prasad S/O Shri Sarju Prasad.
11. Mewa Lal S /O Shri Maga Ram.
12. S-hilvanta S/O Shri Dev Saran.
13. Jag Narain S/O Shri Ram Pyare.
14. Ram Raaj Maurya S/O Shri Manika Maurya.
15. Sarfuddin Ansari S/O Shri Bahauddin.
16. Basant Singh S/O Shri Beni Bahadur Singh.
17. Kailash Nath Maurya S/O Shri Moti Lal Maurya.
18. Chaturbhuwan Mishra S/O Shri Jamuna Prasad Mishra.
19. Jangali Ram S/O Shri Ram Gulam.
20. Sakha Ram S/O Shri Algu Ram.
21. Ramrati Pal S/O Shri Khilodhar Pal.
22. Durga Prasad Vind S/O Shri Mata Saran, CSU, Aurai, Bhadohi.
23. Dinesh Chand Pandey S/O Somnath Pandey.
24. Bhai Lal S/O Shri Ram Nihore.
25. Dangar Ram Yadav S/O Shankar Yadav.
26. Asha Ram Vind S/O Ram Abhilakh Vind.
27. Baskal S/O Jokhan Vind.
28. Shri Ram Yadav S/O B. Yadav.
29. Yadunath Yadav S/O Late Jokhai Yadav
30. Paras Nath Chaurasia S/O Late Babau Ram (Ram Nath)
31. Sita Ram S/O Late Bhuidhar.
32. Pramod Kr. Vind S/O Late Bhola Nath Vind.
33. Bal Krishan Pandey S/O Shri Budhinath Pandey.
34. Hoob Lal Vind S/O S-hri Bhagelu.
35. Hari Ram Vind S /O Shri Shiv Charan Vind.
36. Achraju Yadav S/O Shri Rampudi Yadav.
37. Tulsi Ram Yadav S/O Baba Vind.
38. Sukhram S/O Ram Lakhan Vind.
39. Ghurhoq S/O Raghunath.

40. Bholu Nath Yadav S/O Shri Ram Prasad Yadav.
41. Chandrama Prasad Arya S/O Ram Lakhan Arya.
42. Lal Chand S/O K.R. Kanaujia.
43. Jalaluddin S/O Karim Baqks Ansari.
44. Lalji Maurya S/O R.K. Maurya.
45. Shiv Jatan Pal S/O Ram Khelavan Pal.
46. Ram Murat Maurya S/O Sri Ram Maurya.
47. Mukhtar Khan S/O Zaheer Khan.
48. Ramanand Pal S/O Shri Pal.
49. Shiv Kumar S/O Changur Prasad.
50. Sita Saran Maurya S/O Shri Dashvat Maurya.
51. Dashrath S/O Bhudhu Ram .
52. Jagannath S/O Shri Nankhu.
Sahayak Anudeshak, Seva Kendra, Regional Carpet Store
Ashapur, Sarnath, Varanasi.
53. Nanhu Ram Yadav S/O Jallu Ram.
54. Basant Lal S /O Shri Sarju Prasad.
55. Hari Shankar S/O Udal.
56. Chote Lal S /O Shri Ram Saran (Raj Kishore).
57. Ishwar Chand Mishra S/O Shri Jata Shankar.
58. Shyam Lal S/O Shri Shivpurajan.
59. Krishna Murari Chaurasia, S/O Amar Nath Chaurasia.
60. Vilgu Pal S/O Pravan Pal.
61. Ramji Yadav S/O Shri Ram Adhar.
62. Prabhu nath Pal S/O Ram Charan Pal.
63. Hira Lal S/O Shri Bhaggad.
64. Ram Sajeevan S/O Shri Baijurar.
65. Lalji S/O Shri Ram Lakhan.
66. Ram Raj Maurya S/O Bhariham Maurya.
67. Nagina Singh S/O Shri Karu Singh.
68. Banshi Ram Yadav, S/O Shri Jhagad Ram Yadav.
69. Mohan Lal S/O Shri Raghuvar Pal.
70. Ram Pyare S/O Shri Mata Prasad.
71. Ramvali Prasad S/O Sohan Prasad.
R.C.S. Regional Carpet Store, Lekhrajpur, Allahabad.
72. Nand Lal S/O Late Mothi Chauhan.
73. Avadh Narain Upadhyaya S/O Late Amarnath Upadhyaya.
74. Avadh Narain S/O Devi Prasad Yadav.
75. Pardeshi S /O Shri Shrinath.
76. Lalta S/O Shri Jaishree.
77. Ram Sewak S/O Shri Dingur.
78. Ram Jokhan S/O Shri Ram Narain.
79. Banvari Lal S/O Shri Vishwanath.
80. Kunjan Pal S /O Shri Nanku Pal.
81. Panch Dev S/O Shri Sukhu Yadav.
82. Bansh Raj Yadav S/O Shri Ram Dular, Seva Kendra Bareilly.



83. Zuma Mohammad S/O Faizullah
84. Laxman S/O Shri Sahtu Ram Vind.
85. Kapoor Chand S/O Shri Bedi.
86. Jagannath Yadav S/O Shri Raja Ram, Sewa Kendra, Dehradun.
87. Jehoo S/O Shri Babu Nandan.
88. Babu Lal Pasi S/O Shri Mahadev Pasi, Hudwa Kukrauthi,
Nai Bazar - Retired.
89. Ram Das Vishwakarma S/O Late Vishwanath Vishwakarma,
C.S.U., Aurai, Bhadohi.
90. Jamuna Prasad S/O Shri Dehai.
91. Sushil Chand Maurya, S/O Shri Bal Govind Maurya.
92. Ram Prasad S/O Shri Ram Lakhan.
93. Prabhu Nath Yadav S/O Pancham Yadav, Dehradun.
94. Hari Prasad S/O Shri Shiv Charan, R.C.S. Lekhrajpur,
Regional Carpet Store, Allahabad.
95. Jai Govind S/O Shri Ram Lakhan.
96. Raj Kumar Vind S/O Late Ram Lakhan.
97. Bal Chand S/O Late Baijnath.
98. Abdul Wahab S/O Shri Abdul Mazid.
99. Ram Gulam S/O Shri Algu Ram.
100. Nandlal Maurya S/O Shri Aliyar Maurya, R.C.S., Ashapur,
Regional Carpet Store, Varanasi.
101. Ramjeet Maurya S/O Shri Baijnath Maurya.
102. Rampati Maurya S/O Shri Jamuna Prasad Maurya.
103. Hasan Ullah Khan S/O Nazir Ullah Khan.
104. Keshav Lal S/O Shri Ram Saran.
105. Bharat S/O Shri Baijram.
106. Ram Vali Yadav S/O Shri Ram Khelavan Yadav.
107. Ganesh Prasad S/O Shri Seva Lal.
108. Nand Lal Maurya S/O Shri Sankara Prasad, R.C.S. Lekhrajpur
Allahabad.
109. Chhote Lal, R.C.S., Ashapur, Varanasi.
110. Phool Das, R.C.S. Lekhrajpur, Allahabad.

..... Applicants.

Counsel for applicants : Shri B.N. Chaturvedi.

Versus.

1. Union of India through Secretary Textiles, Govt. of India,
New Delhi.
2. Development Commissioner (Handicraft) O/O D.C. (Handicraft)
West Block No.7, R.K. Puram, New Delhi.
3. Assistant Director (A&C), O/O D.C.(H), Service Centre,
Sigra, Varanasi.
4. Asstt. Director (A&C) O/O D.C.(H), Service Centre, Allahaba

..... Respondents.

Counsel for respondents : Sri P.D. Tripathi.



O R D E R (ORAL)

BY HON. MR. JUSTICE S.R. SINGH, V.C.

Heard Sri B.N. Chaturvedi, learned counsel for applicant, Sri P.D. Tripathi, learned counsel for respondents and perused the pleadings.

2. The applicants herein have prayed for following reliefs :-

- a) To issue a writ, order or direction in the nature of mandamus directing the respondents to regularise the services of applicants w.e.f. their date of initial appointment i.e. January 1976 in the light of judgment of Hon'ble Supreme Court given in case of Union of India Versus Dr. Akhilesh Chandra Agarwal.
- b) To issue a writ, order or direction in the nature of mandamus directing the respondents to pay the benefit of A.C.P. counting the services of applicants w.e.f. the date of their initial appointment i.e. January 1976.
- c) To issue a writ, order or direction in the nature of mandamus directing the respondents to seniority, promotional avenues, leave increments and other financial benefits including the pensionary.
- d) To award any other reliefs which this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case, for the sake of justice to the applicants/petitioners.
- e) To award the cost of the petition and compensation for harassment of the applicants."

3. It appears that some of the applicants herein had earlier instituted O.A. No.545 of 1986 for the self same reliefs^{ie. 2} for issuance of a direction to respondents to regularise their services from the date of their initial appointments. The said O.A. was disposed of with certain directions vide order dated 9.8.1988. Special Leave Petition No.1594/88 preferred against the said order was rejected by the Hon'ble Supreme Court and Review Petition No.40/88 filed before the Tribunal was also rejected by order dated 1.11.89. Respondents were, however, directed to comply with the



direction given by the Tribunal In O.A. No.545/86 within a period of three months.

4. The order dated 9.8.1988 passed in O.A. No.545/86 has been fully complied with as stated in paragraph 10 of the counter affidavit.

5. In the circumstances, therefore, the present O.A. is not maintainable and is accordingly dismissed.

N-o order as to costs.


A.M.


V.C.

Asthana/