

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**AHMEDABAD BENCH**

**O.A.NO.** 311 OF 1991.  
**~~T.A.NO.~~**

DATE OF DECISION 16.10.1997.

Vashrambhai Becharbhai Parmar, Petitioner

Mr. Girish Patel, Advocate for the Petitioner [s]  
Versus

Union of India & Ors. Respondent s

Mrs. P. Safaya Advocate for the Respondent [s]

**CORAM**

The Hon'ble Mr. V. Ramakrishnan, Vice Chairman.

The Hon'ble Mr. P.C. Kannan, Judicial Member.

**JUDGMENT**

- 1, Whether Reporters of Local papers may be allowed to see the Judgment ? ~
- 2, To be referred to the Reporter or not ? ~
- 3, Whether their Lordships wish to see the fair copy of the Judgment ?
- 4, Whether it needs to be circulated to other Benches of the Tribunal ? ~

Vashrambhai Becharbhai Parmar  
Raika, Tal. Dhandhuka,  
Dist: Ahmedabad.

.... Applicant.

(Advocate: Mr. Girish Patel)

versus

1. Union of India,  
(Notice to the secretary,  
Ministry of Communications,  
Department of Telecom.,  
New Delhi).

2. Chief General Manager  
Telecom  
Gujarat Circle,  
Khanpur, Ahmedabad.

3. S.D.O.T.  
Dholka.

.... Respondents.

(Advocate: Mrs. P. Safaya)

ORAL ORDER

O.A.No. 311/1991

Date: 16.10.1997.

Per: Hon'ble Mr. V. Ramakrishnan, Vice Chairman.

Mr. Girish Patel could not be present on the last few occasions. We however, find that on the basis of certain orders passed by the Tribunal earlier and with the information furnished by Mrs. Safaya we can dispose of the present O.A.

2. The applicant, a casual labourer, had prayed for reinstatement with consequential benefits and also for regularisation. The Tribunal had passed an order on 29.9.95 which reads as follows:

"It is jointly suggested by Mr. Girish Patel and Mr. Kureshi that if the applicant makes a representation within 10 days hereof, urging the respondents to consider his case in the light of the scheme for regularisation and according of temporary status to the casual workers, the department will decide the representation within a period of 3 weeks after the date of the receipt of the representation. Accordingly, the applicant may make a representation and the department may take decision thereon and place the same before the Tribunal with brief reasons for the decision."

There is a further order on 8.12.1995 which states

"We are informed that the applicant has submitted a representation dated 4.12.1995. If the same is received by the department, it may be decided latest by 9.1.96 and the decision may be placed on record of this case."

3. Mrs. Safaya now tells us that the department has not received such representation and in any case they have not <sup>been</sup> able to locate the same. A copy of the representation has not been placed before us by the applicant or his counsel. In the circumstances of the case, we direct that if the applicant makes a fresh representation within four weeks from the date of receipt of a copy of this order the Telecom Department shall consider his case for regularisation in the context of the scheme which is in operation in that Department. The Department shall consider

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the same on merits and take a decision within two months and communicate the decision to the applicant immediately thereafter through a speaking order.

4. With the above direction, the O.A. is finally disposed of. No costs.



(P.C. Kannan)  
Member (J)



(V. Ramakrishnan)  
Vice Chairman

vtc.