

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. NO.

385 of 1992.

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DATE OF DECISION 08-12-1995.

Shri Narendra Narbheran Devmurari Petitioner

Shri B.B.Gogia

Advocate for the Petitioner (s)

Versus

Union of India and others.

Respondent

Shri Akil Kureshi

Advocate for the Respondent (s)

CORAM

The Hon'ble Mr. N.B.Patel

: Vice Chairman

The Hon'ble Mr. K.Ramamoorthy

: Member (A)

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 ?

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Shri Narendra Narbheran Devmurari,
Qr.No.61, Block No.16,
Mavdi Main Road,
RAJKOT.

...Applicant.

(Advocate : Mr.B.B.Gogia)

Versus

1. Union of India,
Through : Secretary,
Ministry of Finance,
Department of Revenue,
Government of India,
New Delhi.

2. The Collector,
Customs and Central Excise,
Collectorate,
Rajkot.

...Respondents.

(Advocate : Mr.Akil Kureshi)

J U D G M E N T
O.A.NO. 385 OF 1992.

Date : 08-12-1995.

Per : Hon'ble Mr.K.Ramamoorthy : Member(A)

This case relates to a case of casual employee who had joined the department on 10-10-1988. His case was admittedly under consideration for regularisation. Since nothing was further heard, the applicant had filed this application on 14-7-1992 which was admitted on 22-9-1992. Thereafter, on 5-11-1992 the services of the applicant seem to have been terminated since he has been restrained from reporting for duty.

2. In their reply, the respondent stated that the applicant was engaged on casual and occasional work which was not a full time work and therefore, had not been regularised.

3. Though by way of amendment, the applicant had sought declaration of the latter's act of 5-11-1992 preventing the applicant to work as not legal, the fact remains that the respondents have not formally passed any order on the proposal which had been sent for regularising the services of the applicant by letters at Annexure-A/7. In fact, the respondents have in their written reply on 18-10-1993 have also stated that "no order has been issued by any authority against the applicant and hence the applicant cannot have any grievance".

4. For the purpose of this application, the Tribunal considers it sufficient to issue a direction that the respondents may communicate in writing their firm decision in this regard within a period of eight weeks from the date of receipt of a copy of this order bearing in mind the fact that the applicant had put in a certain number of days of work as full time casual labour ~~each~~ and in view of the fact that the restriction of a cut-off date has not been strictly observed and does not find a mention even in the new regularisation order as has been envisaged in the scheme of Casual Labourers (Grant of Temporary status and Regularisation).

R M.A.-N. 223755 is ~~referred~~

With the above directions the application is disposed of.

No order as to costs.

Ramam
(K.Ramamoorthy)
Member(A)

N
(N.B.Patel)
Vice Chairman

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