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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NOS. 616/94 & 618/94.
Cuttack, this the 14th day of March, 2002.

Chandramani Mallick & Ors. Applicants.

- Versus -

Union of India & Others. Respondents.

FOR INSTRUCTIONS

1. whether it be referred to the reporters or not? Yes
2. whether it be circulated to all the Benches of the Central Administrative Tribunal or not? Yes

M.P.S.
(M.P. SINGH)
MEMBER (ADMN.)

Y. Mohanty
14.03.2002
(MAHORANJAN MOHANTY)
MEMBER (JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

O.A. NOS. 616/94 & 618/ 1994.
Cuttack, this the 14th day of March, 2002.

C O R A M:

THE HONOURABLE MR. M. P. SINGH, MEMBER(ADMINISTRATIVE)

A N D

THE HONOURABLE MR. MANORANJAN MOHANTY, MEMBER(JUDL.)

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O.A. No. 616/94.

Chandramani Mallick,
aged about 27 years
S/o Late Narayan Mallik,
Village-Chikana
PO:Bramhanigaon,
Binjharpur,
Dist.Cuttack. Applicant.

By legal practitioner: M/s. K. C. Kanungo,
B. Rout, S. Behera,
Advocates.

- Versus -

1. Union of India represented through Secretary, Ministry of Information & Broadcasting, Sashtri Bhawan, New Delhi-1.
2. Director General, All India Radio, Civil Construction wing, PTI Building, Parliament Street, New Delhi-1.
3. Superintending Surveyor of Works-II, Civil Construction wing, All India Radio, New Delhi.
4. Superintending Engineer(Civil), Civil Construction wing, All India Radio, Gulf Green, Calcutta-45.
5. Executive Engineer(Civil), Civil Construction wing, All India Radio, Sainik School Campus, Bhubaneswar.

... Respondents.

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By legal practitioner: Mr. A. K. Bose,
Sr. Standing Counsel.

O. A. No. 618/1994.

Ashok Kumar Mohapatra,
aged about 24 years,
S/o. Sri Ainthu Nayak,
vill/PO: Jankia, Dist. Puri,
At present in the office
of the Executive Engineer
(Civil), Civil Construction
Wing, All India Radio,
Bhubaneswar. Applicant.

By legal practitioner: M/s. K. C. Kanungo,
B. Rout,
S. Behera,
Advocates.

- yrs. -

1. Union of India represented through
the Secretary, Ministry of Information
and Broadcasting, Sashtri Bhawan,
New Delhi-1.
2. Director General,
All India Radio,
Civil Construction Wing,
PTI Building,
Parliament Street,
New Delhi-1.
3. Superintending Surveyor of Works II,
Civil Construction Wing,
All India Radio,
New Delhi-1.
4. Superintending Engineer (Civil),
Civil Construction Wing,
All India Radio, Gulf Green
Calcutta-45.
5. Executive Engineer (Civil),
Civil Construction Wing,
All India Radio,
Sainik School Campus,
Bhubaneswar. Respondents.

By legal practitioner: Mr. A. K. Bose,
Senior Standing Counsel

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O R D E R

(O R A L)

MR. MANORANJAN MOHANTY, MEMBER (JUDICIAL).

Applicants, in both the cases, were casually engaged workers under the Respondents. Despite availability of casual work, they were not given engagements and, therefore, by the interim directions from this Tribunal, the Respondents were asked to provide job to the Applicants, as and when available. Thereafter only, both the applicants were provided with casual engagements.

2. Now it is seen that during the year 1990, Shri Chandramani Mallick (Applicant in O.A.616/94) had served for 285 days; and Shri Askhok Kumar Mohapatra (the Applicant in O.A.No.618/94) had also rendered more than 240 days from after the date of issuance of ad-interim directions to the Respondents to provide casual engagements.

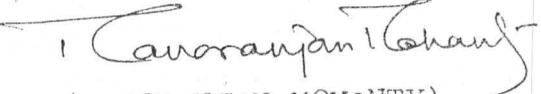
3. It is the case of the Applicants that in view of the Office Memorandum dated 10th September, 1993, of the Ministry of Personnel, Public Grievances and Pension of Government of India, they can be given "Temporary Status" and, thereafter, their cases can receive due consideration to be absorbed in regular Establishment, as against Group-D posts.

4. Having heard learned counsel for the Applicants and Mr. Bose, learned Senior Standing Counsel for the Respondents, in both the cases and, since the scheme framed by the Ministry of Personnel, Public Grievances and Pensions dated 10th September, 1993 is an ongoing scheme, we are satisfied that Applicants in both the cases have become entitled to get the "Temporary Status" and

consequential benefits as per the scheme and, once they get the "Temporary Status", they can receive consideration, in due course, to go over to the regular Establishment.

5. In the conclusion, we hereby direct the Respondents to confer "Temporary Status" on the Applicants in both the cases and to provide them all consequential benefits arising therefrom, within a period of three months from the date of receipt of a copy of this order. The Respondents are further directed to consider the cases of the Applicants, after giving them Temporary Status, to be takenover to regular Establishment, in due course. With these directions, both the Original Applications are allowed. No costs.


(M.P. SINGH)
MEMBER (ADMN.)


(MANORANJAN MOHANTY)
MEMBER (JUDICIAL) 14/03/2002

KNM/CM.