

OA 726/03

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

For Admission.

Bench

6-11-03

copies of this O.A. and M.A.) had been served the prayer of two Applicants to prosecute this O.A. jointly is allowed; subject to payment of Rs. 50/- in shape of IPO. Mr. Mohapatra, learned Counsel for the Applicants undertakes to file the same by 10.11.2003 and in the event of filing IPO worth of Rs. 50/- this OA No. 726 of 2003 be confined in respect of Applicant No. 1 and separate OA number be assigned to Applicant No. 2 for statical purpose. M.A. No. 877/2003 is accordingly disposed of.

vice-Chairman

Member (Judicial)

2. ORDER DATED 7.11.2003.

Heard Mr. B.K. Mohapatra, learned Counsel appearing for the Applicants and Mr. S.B. Jena, Learned Additional Standing Counsel for the Respondents (on whom a copy of this O.A. has already been served) and perused the materials placed on record.

2. Applicants claim that they were engaged as casual labourer under the Telecom department of Government of India and by filing the present Original Application under section 19 of the Administrative Tribunals Act, 1985 they have challenged the steps taken by the Respondents under Annexure-A/6 dated 16.10.2003 to regularise the services of 455 (out of 1437) casual Labourers; on the ground that the Respondents

did not properly consider their cases for regularisation. Apart from other grounds, the Advocate for the Applicants states that while ignoring the cases of Applicants, the Respondents have enlisted several other persons (who were either never engaged for required period or engaged at a later point of time, than the Applicants as casual Labourer) for regularisation. The Applicants have placed on record several materials to substantiate their cases.


3. In the above premises, without waisting any time and entering into the merit, we hereby dispose of this case, at admission stage, by asking the Respondents to treat this Original Application as a representation of the Applicants and enter into an enquiry to find out as to whether the Applicants have got a case for regularisation. Until full consideration is given to the case of the Applicants, and they are intimated about the result of such consideration, the Respondents should not proceed to regularise anybody as against the newly created 455 posts of RM.

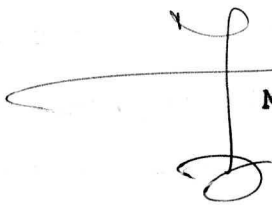
4. While parting with this case, we grant liberty to the Applicants to represent their case, by 15.11.2003 to the Respondents (by giving all details about themselves in order to substantiate their cases) and may pray for a


/s/

personal hearing, if they so like, which should be allowed by the Respondents in all fairness of things.

5. With the above observations and directions, this Original Application is disposed of. No costs. Send copies of this order, along with copies of the Original Application, to the Respondents and free copies of this order be given to the counsel for both sides.


vice-chairman


Member (Judl.)
07.11.2003


S.O.
11.11.03

ms
11/11/03

notice a/w copy
of order dt. 7/11/03
issued to all the
respects. by posts.
The same copy of
order issued to
the counsel for
both side.