

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Order dated 13.05.04.

Adjourned to 17.05.04

M.A. 318/04 over.

Sub
Mr. Chairman
Member B

ORDER DATED: 17.05.2004.

M.A. Nos. 267/2004 & 318/2004

Applicants, who are claiming to have been engaged under the Respondents on Casual basis, have not only challenged the steps taken by the Respondents to regularise 455 left-out Casual Labourers in this case, but also prayed for a direction to the Respondents to regularise them. By order dated 18.11.03 this case was disposed of "requiring the Respondents to examine (and if required, by re-examining) the case of the Applicants (even by giving him personal hearing with reference to the records) before proceeding to regularise any of the left-out Casual Labourers". While passing the said order dated 18.11.03, it was also ordered that "without examining (re-examining) the case of the Applicants and intimating them the result thereof, the Respondents should not give any finality to the matter relating to regularisation of left-out Casual Labourers".

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1) M.A. 267/04 filed by Sr. S.C. for modification of order.

2) M.A. 318/04 for modification of order. Copy served.

Bench

Mr
12/5/04

M.A. 267/04 filed by the Sr. S.C. for modification of order.

Bench

Mr
14/5/04

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2. Now by filing the aforesaid Miscellaneous Application No. 267/04, the Respondent-Telecom Department has prayed to modify the aforesaid order dated 18.11.2003 by giving undertaking to the following extent:-

"...undertake to consider all the representations in this regard and, if they are found eligible and suitable for regularisation, then their cases shall also be taken into due consideration".

3. By giving the above undertaking, the Respondent-Department have, virtually, prayed for granting them leave to regularise such of the Left-out Casual Labourers, who have already been identified by the Department for regularisation.

4. Having heard learned counsel for both sides, this Miscellaneous Application No. 267/04 is allowed and the order dated 18.11.2003 is modified to the following extent:-

"Liberty is hereby granted to the Respondents Telecom Department to proceed with the verification of the representations/claims of the Applicants for their regularisation and while doing so they are free to regularise such of the left out casual workers; who have already been identified (upon due verification) for regularisation. However, the outer limit ^{is hereby} fixed, for such verification of the grievances of the applicants as raised in their

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copy of order dt. 17/3/04
issued to both side.

Sh. 27/3/04.
S.O.

MS
27/3/04

representations, ~~ix~~ upto the end of
September, 2004;"

With the above observations and directions/
modifications, M.A.No.267 of 2004 is disposed
of, and MA No.318/2004 also stands disposed of.

Send copies of this order to all the
parties and free copies of this order be given
to counsel for both sides.


Vice-Chairman


Member (J)