



FORM No. - 4

See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH

ORDER SHEET

Original

Application No. 1264 of 2003

Applicant(s) Nityananda Sahu Respondent(s) U.O.I.

Advocate for Applicant(s) M/S. S. Patnaik Advocate for Respondent(s) Mr. S.B. Jena
M. R. Das

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
<p>gpo for rs 50/- filed.</p> <p>For Consideration pl.</p> <p><u>DR</u></p> <p>10/12/03</p> <p>DR Defects pointed out at scrutiny sheet</p> <p><u>Registrar</u></p> <p>10.12.03</p> <p>Please notify the defects.</p> <p><u>DR</u></p> <p>10.12.03</p>	<p>REGISTER</p> <p><u>Dy. Registrar</u> 26.12.03.</p> <p><u>Order dated 29.12.2003</u></p> <p>Heard Shri S.Patnaik, learned counsel for the applicant and Shri S.B.Jena, learned Addl.Standing Counsel(on whom a copy of O.A. has been served) appearing on behalf of the Respondents.</p> <p>The case of the applicant is that he is a left-out casual labourer under the</p>

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OA 1264/03

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Defects removed partly.
For Registration pt.

AD
26.12.03

S.O. (J)

Bak
26/12/03

Shankh
26.12.03

SO. (J)

On 26.12.03

Copies of order

dt. 29.12.03 along with
copies of OA sent to
all respects and copies
of said order prepared
for comments to
LAW side.

h
29/12

SO. (J)

Shankh
29.12.03

M.A. 273/04 for further
orders

AD
31.3.04

Shankh
Bench.

Respondents-Department, being assigned Temporary Status in the year 2000. It is his further case that in the year 1994 he was called for interview for the post of Phone Mechanic, but for the reasons best known to the Respondents, he was not shown any consideration. It is his further case that even though there came a regularisation of casual labourers in the year 2000, his case was ^{also} not considered. The applicant submits that now the Respondents have introduced a scheme for regularisation in respect of Left out casual labourers under the Department and while the Department is considering the cases of persons, who are junior to him, he has been ignored. It is in these circumstances, the applicant has approached this Tribunal, in this Original Application under Section 29 of the A.T., 1985 for redressal of his grievance.

This Bench in recent past has disposed of a number of cases arising out of similar cause of action with appropriate direction to Respondents-Department. In this view of the matter, I do not feel inclined to make a departure in this case. Therefore, I direct the applicant to make a representation (with necessary bio-data/particulars of engagement, temporary status etc.) to the Respondents by 31.12.2003. On receipt of the said representation, the Respondents should examine the matter in the light of the representation and bio-data (to be submitted by the applicant vis-a-vis the scheme for

regularisation of left-out casual labourers in the Department) whereafter they should pass a reasoned order (on the said representation) within a period of 30 days from the date of receipt of copies of this order, under intimation to the applicant. The applicant, if feels aggrieved by the order (to be passed by the Respondents on his representation) is giving liberty to approach the Tribunal.

With this, the O.A. is disposed of at the admission stage. No costs.

Send copies of this order, along with copies of the O.A., to Respondents and free copies of the order be handed over to the learned counsel for the parties.

29/12/03
MEMBER (JUDICIAL)

1-4-04

Let copy of M.A. be served on the applicant and the matter may come up thereafter for consideration.

1/4/04
V. Chandraiah
MEMBER (J)

MA 273/04
For modification
of order dt 29.12.03 -
copy served.
Disposed of case.
For orders.

Bench

1/4/04