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NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

on Mr. A.K. Bose, Learned Senior Standing Counsel for the Union of India), the prayer of the eleven applicants (to prosecute this O.A. jointly) is allowed; subject to payment of an additional amount of Rs. 500/- in shape of IPO/Bank Draft.

Mr. Mohanty, Learned Counsel for the Applicants, submits that he has already deposited the amount. In this view of the matter, this Original Application No.1326 of 2003 be confined in respect of Applicant No.1 and separate Original Application numbers be assigned, for the statistical purposes, in respect of Applicant Nos.2 to 11.

M.A.No.1095/2003 is accordingly allowed.

*4 set
31/12/03*
MEMBER (JUDICIAL)

2. ORDER DATED 31.12.2003.

Applicants, 11 in number, have claimed that they were engaged as Casual Labourers under the Respondents in Telecom Department of Government of India. It is their case that while taking steps to regularise the left-out Casual Labourers, the cases of the Applicants have not received due consideration (of the Respondents) discriminatorily.

2. It appears from Annexure-A/3, dated 15.10.2003 of the Original Application that it has already been decided to regularise few left-out Casual labourers. It appears that out of 1437 Casual Labourers identified

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only 455 Casual Labourers are going to be regularised; for which their Bio-datas were called for(under Anxx.3 dated 15.10.2003) to be furnished by 31.10.2003. Taking clue from this Mr.Mohanty, Learned Counsel appearing for the Applicants, states that expeditious steps are being taken to regularise 455 Casual Labourers by un-justly ignoring the cases of the Applicants; who have placed on record few materials to substantiate their cases as made out in this Original Application under section 19 of the Administrative Tribunals Act, 1985.

3. It is also the case of the Applicants that they have represented to the authorities for redressal of their grievances and that, without paying any heed to their grievances, expeditious steps are being taken surreptitiously to regularise a few Casual Labourers. To state in nut-shell, gross mala-fides have been alleged in this case.

4. In the aforesaid premises, without waisting any time to examine each of the cases of Applicants, this case is hereby disposed of requiring the Respondents to examine (and, if required by re-examining) the cases of each of the Applicants herein(even by giving them personal hearing with reference to records) before proceeding to regularise any of the left-out Casual Labourers; list of which was enclosed to Annexure-2.



O.A 1326/03

dated 03.10.2003. It is, however, made clear that without examining (re-examining) the cases of each 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.

Copy of order
O.A. 1326/03 a/w
of copy issued
to all the resp/nts.
by Posts.

The same copy
of order issued
to the counsel for
both sides.

DR. Jay
S. C.

M
27/10/04

5. With the aforesaid observations and directions this case is disposed of; by granting liberty to each of the Applicants to furnish details (including all details as required in the bio-data under Annexure-1 dated 15.10.2003) about themselves (to the Respondents) in order to substantiate their own cases, in shape of representation by 09.01.2004. Send copies of this order to the Respondents, alongwith copies of the O.A., and free copies of this order be given to learned Counsel appearing for the Applicant and to Mr. Anup Kumar Bose, Learned Senior Standing Counsel on whom a copy of this Original Application has been served.

Order dated 27/10/03
MEMBER (JUDICIAL)

1) M.A. 266/04 for
modification of
order. Copy not
served.

2) Appearance Memo
by Smt. S.C. not
filled.

5.4.04
~~Call on 22.04.04 for consideration
of M.A. 266/04. Copy of
M.A. is said to have
been served.~~

Vice-Chairman

Member (J)

By
27/10/04
Bench