



FORM No. - 4

See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH

ORDER SHEET

Original

Application No.

1469

of 2003

Applicant (s) Raghunath Nayak Respondent (s) Union of India & Ors.  
Advocate for Applicant (s) M/s. A. Khyeyi, K.V. Myra Advocate for Respondent(s) .....

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

g.p.o. for Re. 50/- filed.  
for consideration as  
per Court memo to be  
taken on 31.12.03.

1. ORDER DATED 31.12.2003.

Perused the Office note. Heard  
learned Counsel for the Applicant. Learned  
Counsel for the Applicant undertakes to  
remove the defects by course of the day.  
In view of the undertakings, this O.A.  
be registered and a number be given.

Member (Judicial)

2. ORDER DATED 31.12.2003.

Applicant has claimed that he was  
engaged as Casual Labourer under the  
Respondents in Telecom Department of Govt.  
of India. It is his case that while taking

DR.  
pl. place before Bench  
with defect.

DR.

31.12.03

Se. (J)

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

steps to regularise the left-out Casual Labourers, the case of the Applicant had not received due consideration (of the Respondents) discriminately.

2. It appears from Annexure-A/4 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 only 455 Casual Labourers are going to be regularised; for which their bio-datas were called for (under Annexure-A/4 dated 15.10.2003) to be furnished by 31.10.2003. Taking clue from this Mr. Akhaya Kumar Mishra, learned counsel for the applicant states that expeditious steps are being taken to regularise 455 casual labourers by unjustly ignoring the case of the applicant ; who has placed on record few materials to substantiate his case as made out in this O.A U/s.19 of the AT, Act, 1985.

3. It is also the case of the Applicant that he has represented to the authorities for redressal of his grievance and that without paying any heed to his case/grievance, 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 this case, the same is hereby disposed of requiring the Respondents to examine (and if required by re-examining) the case of the Applicant herein

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OA 1469/03

(even by giving him personal hearing with reference to the records) before proceeding to regularise any of the left-out casual labourers. It is however made clear that without examining (re-examining) the case of the Applicant and intimating him the result thereof, the Respondents should not give any finality to the matter relating to the regularisation of left-out casual labourers.

5. With the aforesaid observations and directions, this case is disposed of by granting liberty to the Applicant to furnish details (including all details) as required in the letter dt. 15.10.2003 about himself (to the Respondents) in order to substantiate his case in shape of representation by 09.01.2004. Send copies of this order to the Respondents, alongwith copies of this O.A. and free copies of this order be given to learned counsel appearing for the Applicant and Mr. Anup Kumar Bose, learned Senior Standing Counsel for the Union of India on whom a copy of this O.A. has already been served.

~~Member (Judicial)~~

~~5.1.04  
21/12/03~~

~~Member (Judicial)~~

5.4.04

~~Call on 22.04.04 for consideration of  
H.A. 264/04. Copy of H.A. is said to have  
been served on the other side.~~

~~Vice-Chairman~~

~~Member (S)~~

~~Copies of order  
dt. 21.12.03 issued  
to the counsel  
for both sides.~~

~~By  
21/12/03~~

~~On Memo  
MA 265/04 for  
modification of  
order, copy not  
served. APP. memo  
by the Enr. not bld.~~

Refile