

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

For further orders on
Memo.
Defects not removed.

30-12-03

Bench.

2. ORDER DATED 31.12.2003.

Applicant has claimed that he was engaged as Casual Labourer under the Respondents in Telecom Department of the Government of India. It is his case that while taking steps to regularise the left-out Casual Labourers, the case of the Applicant has not received due consideration (of the Respondents) discriminatorily.

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. A.K. Mishra, learned Counsel appearing for the Applicant states that expeditious steps are being taken to regularise 455 Casual Labourers by unjustly ignoring the cases of the Applicant; who has placed on record few materials to substantiate his case as made out in this Original Application under section 19 of the Administrative Tribunals 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

3

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, (even by giving him personal hearing with reference to 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 9.1.2004. 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 for the applicant and Mr. Anup K. Bose, learned Sr. Standing Counsel for the Union of India; on whom a copy of this OA has already been served.

Jahanty
Member (Judicial) 31/12/03

Copy of order
dt. 31/12/03. Issued
to the Council
for both side.

9.1.04
S.O.

9.1.04

Copy of order/
Copy of OA
Sent to all
members

8.1.04
S.O.

24/12