

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

11.09.2002

Ld. Counsel for the Applicant is present. Shri S.B. Jena, Ld. ASC. has already filed memo of appearance for all the Respondents on 12.07.2002 and today files an M.A. praying therein to file counter. Heard. Time granted till 30.09.2002 for counter ~~W.C.~~.

M.A. is disposed of accordingly.

*11/9/2002*  
REGISTRAR

counter not filed.

*Registers*

*By*  
*27/9/02*

30.09.02

Ld. Counsel for the Applicant is present. Shri S.B. Jena, Ld. ASC files one M.A and prays for 4 weeks time to file counter. Heard. Time granted till 21.10.2002 for counter.

M.A. is disposed of ~~accordingly~~.

*11/9/2002*  
REGISTRAR

counter not filed.

*Registers*

*11/10/02*  
*27/10/02*

ORDER DATED 01-01-2003.

Heard Mr. Narayana Prasad Parija, Learned Counsel for the Applicants and Mr. S.B. Jena, learned Additional Standing Counsel for the Union of India, appearing for the Respondents.

Applicants, 9 in number, have joined together in this Original Application U/s.19 of the Administrative Tribunals Act, 1985 and have raised a grievance that they were engaged on casual basis under the Respondents at different point of time prior to 30.3.1985 and, therefore, they should be regularised for the reason of the regularisation scheme issued by the Govt. of India on 7.11.1989 or atleast should have been conferred with "Temporary Status" and consequential regularisation in Gr.D posts. In this case, Respondents have already filed their counter raising several disputes on factual aspects.

Mere existence of a grievance is not enough to rush to the Court or Tribunal. The parties must approach the authorities for redressal of their grievances, before approaching this Tribunal; as per the requirements of the statutory provisions. As it appears, the Applicants have not approached the Respondents, seriously, for redressal of their grievances.

In the present case, the Respondents

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*M.J.*

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21.10.02

Ld. Counsel for the Applicant is present. Shri S.B. Jena Ld. A.S.C. files one MA and prays for 4 weeks time to file counter. Heard. Time granted as last chance to file counter ~~on~~ by 8.11.02.

MA is disposed of accordingly.



REGISTRAR

Counter not filed.  
Registrar

My  
7/11/02

My  
12/11/02

13.11.2002

The Applicant is absent on call. Shri S.B. Jena, Ld. A.S.C. files one M.A. and prays 4 weeks time to file counter. Heard. Time granted till 27.11.02 to file counter.

M.A. is disposed of accordingly.



REGISTRAR

Counter not filed.  
Registrar

My  
20/11/02

have raised the question of maintainability of the grievances of the Applicants in this Tribunal for the reason of a judgment of this Tribunal rendered in a case of Jabalpur Bench. For the reason of disputes raised, relating to the factual aspects <sup>of</sup> it is not possible to adjudicate in this <sup>case in the</sup> forum at this stage.

In the aforesaid premises, without entering into the merits of the rival claims raised by the parties, this original Application is disposed of, leaving the parties (all the nine Applicants) to represent their cases/claims/grievances before the Respondents by submitting individual representations <sup>(by</sup> giving all details) and, I am sure, the Respondents shall give due consideration to the said grievances of the Applicants (if the individual representations are submitted by the end of January, 2003), as due and admissible, under the existing rules/instructions governing the field, without being influenced on the points/objections raised in the counter. While parting with the case, it is observed that the Respondents should favour the applicants with a reply on their representations by the end of March, 2003.

With the above observations and directions, all the nine applications are disposed of. No costs.

Send copies of this order to all the parties (Applicants and Respondents) and free copies of this order be given to learned couns for both sides.

MEMBER (JUDICIAL)

04-12-2002