

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. MA 20 of 96
OA 60 of 96

Present : Hon'ble Mr. Justice S.N. Mallick, Vice-Chairman
Hon'ble Mr. S. Dasgupta, Administrative Member

RABINDRA NATH DAS & ORS.

VS

UNION OF INDIA & ORS.

For the applicants : Mr. S.N. Mitra, counsel
Mr. P.K. Ghosh, counsel

For the respondents : Mr. P.K. Arora, counsel

Heard on : 12.5.98

Order on : 12.5.98

O R D E R

S. Dasgupta, A.M.

We have heard the ld. counsel for both the parties. On their consent the matter is taken up for final disposal today at the admission stage itself.

2. The applicants have stated that they have worked as Hot Weather Staff prior to 1987 between 1980 and 1981. They have worked for more than 120 days and have also acquired temporary status. Subsequently they were again engaged in 1987 on the basis of a letter issued by one Sri Ambastay, Asstt. Personnel Officer, Maldah. Later the respondents considered the said letter to have been issued by an unauthorised person and cancelled the same by an order dated 12.7.98. The applicants are seeking quashing of the said order dated 12.7.98.

3. The application is accompanied by a Miscellaneous Application seeking condonation of delay in filing the Original Application. After considering the submissions of both the parties the delay is condoned.

4. The respondents have filed a reply in which it is stated that the applicants have not worked prior to 1987. The applicants have however, annexed certain documents to show that they have worked

between 1980 and 1981. The ld. counsel for the applicants brought to our notice that a large number of similar cases have been disposed of by a Bench of this Tribunal by an order dated 20.9.97. A copy of the said order in OA 468 of 93 and a bunch of similar other OAs was shown to us by the ld. counsel for the applicant. We find that the applicants in the aforesaid OAs are similarly circumstanced as the applicants before us. We ^{a/k/a} find that the respondents had^h contested the fact that the applicants have worked prior to 1987. There was a direction on the respondents to subject such applicants to ^{screening} ~~scrutiny~~ on the basis of available documents and to take further action on the basis of the screening. We do not see any reason as to why the applicants should not be extended the similar benefits.

5. In view of the foregoing, we dispose of the application, with a direction to the respondents to screen ^{the} ~~the~~ applicants in the present OA in line ^{with} ~~of~~ the similar others and at the time of such screening the respondents should issue registered notice to each of applicants in the respective address given in the petition giving them one month's prior notice to appear ^{on} ~~at~~ the date fixed with all papers available to them in support of the contention that they have worked even prior to 1987. If after such screening the respondents come to conclusion that any of the applicants have bogus certificates they are free to take any action against such applicant in accordance with law. However, the names of those applicants whose claims are found to be genuine are to be brought in the Life Casual Labour register ^{for re-engagement} ~~for re-engage~~ as Hot Weather Staff for next summer season in the same manner as is being done in the case of the applicants in the bunch of OAs led by OA 468 of 93. The application stands disposed of in the above terms. No order as to costs.


MEMBER (A)


VICE CHAIRMAN