

DS

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH: JODHPUR

Date of order : 20.1.1995

OA NO. 11/95

Bhagwan Lal ... Applicant.

versus

Union of India & Ors. ... Respondents.

Mr. S.K. Malik, Counsel for the applicant.

Mr. U.S. Bhargava, Counsel for the respondents.

CORAM:

Hon'ble Mr. Gopal Krishna, Judicial Member.

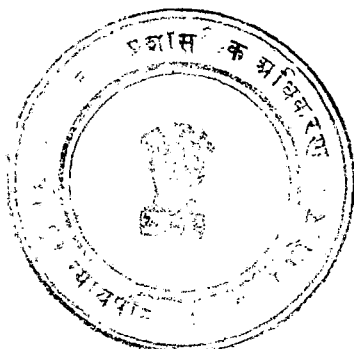
Hon'ble Mr. N.K. Verma, Administrative Member.

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PER HON'BLE MR. GOPAL KRISHNA:

The applicant Bhagwan Lal in this application under Section 19 of the Administrative Tribunals Act, 1985 has assailed the impugned order dated 16/17.11.1994 (Annexure A/1) and sought a direction to the respondents to grant temporary status after completion of one year of services as per Government Order dated 11.10.1993. He has also prayed for his regularisation from the date of his initial appointment i.e. 15.9.1989 with all consequential benefits.

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2. We have heard learned counsel for the parties and perused the records carefully. The learned counsel for the parties have agreed to this case being disposed of at the stage of admission. The contentions of the applicant are that after his name was sponsored by the Employment Exchange, he was subjected to a physical test and on being found suitable he was appointed as Faras with effect from 15th September, 1989 in the pay scale of Rs. 750-940/- per month. The applicant is continuing in the post without any break ever since his appointment. Pursuant to an order passed by this Bench of the Tribunal on 8.3.1994 in OA No. 121/93, the applicant represented his case to the concerned authorities for regularisation vide Annexure A/3 dated 11.5.1994. However, the representation Annexure A/3 was rejected by the respondents vide Annexure A/1 dated 16/17-11-1994. The applicant was then compelled to file this present OA. During the course of arguments, learned counsel for the respondents has brought to our notice a communication from the concerned authority dated 18.1.1995 which have ^{been} taken on record, wherein it has been stated that the applicant has been granted temporary status by an order bearing the same date. The applicant has been called to appear at the interview / test for a group 'D' post to be held today i.e. on 20.1.1995.

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3. In the ^{of} conspectus these facts, since temporary status has already been conferred upon the applicant, we direct the respondents to consider his case for regularisation in the Group 'D' post in terms of the Scheme 'Casual Labourers (Grant of Temporary Status and Regularisation)' of Government of India which has come into force with effect from 1.9.1993 at Annexure A/4 in case he clears the requisite test/interview as per his seniority subject to availability of the vacancies.

4. The OA is disposed of at the admission stage with no order as to costs.

N.K.V.
(N.K. VERMA)
MEMBER (A)

G.Krishna
(GOPAL KRISHNA)
MEMBER (J)

