

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. 1148 of 97

Present : Hon'ble Dr. B.C. Sarma, Administrative Tribunal
Hon'ble Mr. D. Purkayastha, Judicial Member.

1. Sri Heramba Kumar Biswas, aged about 30 years, son of Late Harendra Kumar Biswas, of Village-Paschimpara, P.O. Nona Chandanpur, 24, Parganas, employed as Casual Labour in the Department of Tele-Communications, Govt. of India, now working under SDE - III/220-240/Extl./Mtc. Calcutta.
2. Sri Ashit Kumar Mondal, S/O Late Paresh Ch. Mondal 4A, Matilal Mitra Lane, Cal-54 serving under SDE-III/220-248/Extl./Mtc. Calcutta Telephones.
3. Sri Adhir Chandra Das - s/o Late Purna Chandra Das, 229/A, Chakdah Govt. Colony, P.O. Purba Putiari, Cal-93 serving under SDE-III/220-248, Cal-93 serving under SDE-III/220-248 etc. as at (2) above.
4. Sri Ganga Prasad Das, s/o Late Nanda Lal Das, 3/1/X, Girish Vidyaratna Lane, Cal-11 serving under SDE-III/220-248 etc. as at (2) above.

...Applicants.

- v e r s u s -

1. Union of India through The Secretary, Deptt. of Telecommunications, New Delhi.
2. The Chief General Manager, Calcutta Telephones, Calcutta.
3. The Area Manager (City), Calcutta Telephones, Calcutta.
4. Sri Badri Narayan Banerjee, 36/1, Nabir Babu Road, Garula, Dist. 24 Parganas (S), W.B.

...Respondents.

For the applicants : Mr. B.P. Saha, counsel.

For the respondents : Mr. B. Chatterjee, counsel.

Heard on 10.3.98

Order on 10.3.98

O R D E R

B.C. Sarma, AM

This application has been filed jointly by four applicants with the prayer that a direction be given upon the respondents to grant temporary status and also the benefit of such status as per rule. The applicants contend that they were engaged by the respondents sometime in 1989-90 and since then till the date of filing of the application they are have been continuously functioning as casual labour. The applicants aggrieved by the fact that although some of the juniors to the applicants



have been given temporary status, yet they have not been given such temporary status. ^{Thus} Hence they have been deprived of other benefits given to casual labour ^{with} as temporary status. Hence the petition.

2. We have heard the submission of the Id. counsel for both the parties and perused the records. Mr. Chatterjee, Id. counsel for the respondents submits that he has no instruction from the Department in this matter. However, we note that the applicants are working as casual labour though they have been functioning continuously since they ^{are} engaged in 1989-90. Therefore, they have completed almost 8 to 9 years service in the Department. We further observe that the applicants had made representation sometime in 1997 requesting the respondents to consider the ^{confirmation} confirmation of the temporary status on them but without any result. We are, therefore, of the view that a suitable direction ^{be} called for in this case and the matter can be disposed of at the admission hearing stage.

3. In view of the above position, the application is disposed of with a direction upon the respondent No.2 i.e. The Chief General Manager, ^a Calcutta Telephones, Calcutta ^{to} treat the instant application as ^a fresh representation and ^{of} dispose ^{it} ^{keeping} /the contention made by the applicants as per rules within ^{the} period of three months from the date of communication of this order and ^{the} result of such consideration shall be conveyed to the applicants individually within the same period. While disposing of the application the respondents also should take into account the judgment passed on 24.4.96 in O.A. 204/95. The application is disposed of accordingly without passing any order as to costs.


(D. Purkayastha)
M e m b e r (J)


(B.C. Sarma)
M e m b e r (A)