

CENTRAL ADMINISTRATIVE TRIBUNAL

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T.A. No. 9/91

Mangal Prasad ^{et al}

Applicant.

versus

Union of India & others

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. K. Obayya, Adm. Member.

(Hon. Mr. Justice U.C. Srivastava, V.C.)

Heard the learned counsel for the applicant. The respondents did not file any counter reply, though orders were passed to file the same. The applicants were working as casual artisan labours working under the General Manager, Union of India or Dy. Chief Mechanical Engineer. According to them they have attained the status of a temporary railway employee by virtue of circular dated 1.6.84 which repeated the case of Inderpal Yadav, in which a direction was given, in pursuance of which a scheme was framed and in pursuance thereof they (applicants) should have been absorbed in the Ministry of Railways, but even though they were given service cards, they were not absorbed. The learned counsel for the applicant states that due to interim order, their services were stayed.

2. The applicants were engaged as casual labours before 1984, between 1977 to 1983. According

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to the applicants they were entitled to be absorbed after completing 360 days of employment and thus they have attained temporary status and they cannot be retrenched except in accordance with law and without complying with the provisions of Industrial Disputes Act which has not been followed.

3. In pursuance of the order passed by the Hon. Supreme Court and the scheme framed regarding how the casual labours are to be treated/absorbed or ~~regularisation~~ regularisation is to be made. The applicants had been in service from before 1984. The respondents are directed to consider the case of the applicants in view of the order passed by Hon'ble Supreme Court in Inderpal Yadav and they should be given benefit and each of them should be given its benefit to the extent they are entitled to within a period of three months of the receipt of a copy of this judgment. No order as to costs.


Adm. Member.


Vice Chairman.

Lucknow: Dated: 21.11.92.