

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR
BENCH, JAIPUR.

F.A.No.2424/86 Dt. of order: 5.7.93

Gulam Nabi : Applicant

VS.

Union of India & Ors. : Respondents

Mr. Virendra Lodha : Counsel for applicant

Mr. J.D. Sharma : Counsel for respondents.

CORAM

Hon'ble Mr. Justice D.L. Mehta, Vice Chairman

Hon'ble Mr.O.P.Sharma, Member (Adm).

PER HON' BLE MR.JUSTICE D.L.MEHTA, VICE CHAIRMAN.

We have heard the learned counsel for the parties and perused the pleadings of the parties. The applicant joined the services of the respondents in 1979 and from 11.9.81, he has been working continuously as LDC for a period of 12 years. He filed a suit and prayed therein that he should not be retrenched. The Court granted a temporary injunction in his favour and accordingly the applicant is continuing in employment.

2. In the case of Rattan Lal & Ors Vs. Lt. Governor and Ors. reported in 1992 (4) SC 117, directions were given by the Hon'ble Supreme Court that casual labourers working on daily wages basis should be regularised in accordance with the scheme directed to be prepared and made effective w.e.f. 1.10.88. In another case Rajesh Kumar Soni & Ors. Vs. Ministry of Environment & Forests & Wild Life & Ors. reported in 1992 (4) SCC 116, the Hon'ble Supreme Court directed the respondents to absorb the petitioners as well as other similarly situated employees senior to them, if any, on regular basis within three months.

3. Mr.J.D.Sharma, appearing on behalf of the respondents has submitted that there is no prayer for regularisation. He further submitted that Census Department is a temporary Department. Mr.Sharma submits that the applicant has been continuously working for 11 years and not 12 years. However the fact remains that the applicant worked on the post of LDC continuously for 12 to 12 years.

4. In such circumstances, the respondents are directed to consider the case of the applicant for regularisation with other equally situated persons within a period of 4 months. They should finalise the scheme of regularisation and should ~~fix~~ ~~fix~~ ~~fix~~ ~~fix~~ ~~fix~~ ~~fix~~ implement it immediately so that the persons who have been working for more than a decade can get the benefit of long service rendered by them to the Govt. The T.A. is disposed of accordingly. No order as to costs.

(O.P.Sharma)
Member (A)

(D.L.Mehta)
Vice Chairman.