

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,
JAIPUR.

Date of Decision: 08.9.93.

OA 957/92

SURESH CHAND BIJAWAT ... APPLICANT.

VS.

UNION OF INDIA & ORS. ... RESPONDENTS.

CURIA:

HON. MR. GOPAL KRISHNA, MEMBER (J).
HON. MR. J.P. SHARMA, MEMBER (A).

For the applicant ... SHRI K.L. THAWANI.

For the Respondents ... SHRI K.N. SHRIMAL.

PER HON. MR. GOPAL KRISHNA, MEMBER (J).

The applicant, Suresh Chand Bijawat, has filed this application u/s 19 of the Administrative Tribunals Act, 1985, praying that he is entitled to grant of temporary status and regular absorption/appointment as Mailman Group-D, and further that the respondents be directed to continue him as an Un Approved Candidate (for short UAC).

2. The facts of the case as disclosed in the OA are that the applicant has been working continuously as UAC Mailman since 1983 and that the juniors who were recruited much after the applicant have already been granted temporary status and the case of the applicant for grant of it was ignored, and the applicant

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apprehends that his services might be terminated in spite of the fact that he has worked for more than 240 days and he is now eligible for regular absorption in service under the provisions of Industrial Disputes Act, 1947.

3. The application has been contested on behalf of the respondents on the ground that the applicant has not been continuously working since 1983 as he had stopped coming for duty from October, 1984 and re-joined duty on 20.8.88. However, the respondents have stated that a representation made by the applicant on 3.9.92 is under consideration.

4. The present OA was filed on 2.11.92. It shows that of the OA was filed within a period of two months from the date making of the representation. It ought to have been filed on the expiry of six months from the date of representation. The learned counsel for the respondents has stated that the respondents are not presently contemplating to terminate the services of the applicant.

5. Since the representation of the applicant is still pending consideration, we consider it proper to decide this OA with the following directions :

a) The respondents shall dispose of the representation dated 3.9.92 (Annexure A-5) within a period of two months from the date of receipt of a copy of this order in terms of the DOP letter No. 45-95/87-SPB I dated 12.4.91 on the subject "Casual Labourers (Grant of Temporary Status and Regularisation) Scheme in Dept. of Posts" and consider the applicant's case for grant of temporary status and other reliefs claimed in the representation in accordance with rules,

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instructions and guidelines on the subject. A (3)

b) The parties are left to bear their own costs.

(O.P. SHARMA)

MEMBER (A)

GKrishre
(GOPAL KRISHNA)

MEMBER (J)