

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR
O.A.No.343/95 Date of order: 10/9/2001

Prem Swaroop Vyas, S/o Sh.Devki Nandan Vyas, working
at Kishan Vilas, Bajrang Garh, Kishangarh,
Distt.Baran.

...Applicant.

vs.

1. Union of India through Director General, Archealogical Survey of India, New Delhi.
2. The Supdt. Archealogist, Archealogical Survey of India, Jaipur Circle, Jaipur.
3. Conservative Assistant, Archealogical Survey of India, Dadabari, Kota.

...Respondents.

Mr.Shiv Kumar : Counsel for applicant

Mr.Vijay Singh, proxy of Mr.Bhanwar Bagri, for respondents.

CORAM:

Hon'ble Mr.S.K.Agarwal, Judicial Member.

Hon'ble Mr.A.P.Nagrath, Administrative Member.

PER HON'BLE MR S.K.AGARWAL, JUDICIAL MEMBER.

In this O.A filed under Sec.19 of the ATs Act, 1985, the applicant makes a prayer to direct the respondents to grant temporary status to the applicant and to allow him due benefit of minimum time scale plus DA, CCA, HRA, Leave, etc. as admissible to a temporary status holder and to allow all consequential benefits including regularisation in Group-D post.

2. The main contention of the applicant in this O.A has been that he is working as casual labourer (Chowkidar) in the department of Archealogical Survey of India w.e.f. 18.12.86 but he has not been conferred temporary status and



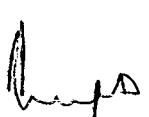
he has not been regularised in Group-D post although there is a Scheme. The applicant has also stated that his juniors S/Sh.Ved Prakash, Radhey Shyam and Dinesh Chand who are working at Kota Sub Circle have been conferred temporary status, therefore, the applicant is also entitled to the same.

3. The respondents did not like to file any reply although sufficient opportunity was given to the respondents.

4. As the applicant made specific averment that his juniors as per Anxx.A4 have been conferred temporary status to which there is no denial by filing a reply on behalf of the respondents. Therefore, we are of the view that the applicant is also entitled to be conferred temporary status in case his juniors are conferred temporary status.

5. We, therefore, dispose of this O.A with the direction to the respondents to confer temporary status to the applicant from the date his juniors have been conferred temporary status. After conferring temporary status, the applicant shall be entitled to all the benefits available to a temporary status casual labour and the applicant shall also be considered for regularisation as and when vacancy occurs and his turn comes. The applicant shall also be entitled to all consequential benefits.

6. No order as to costs.


(A.P.Nagrath)

Member (A).


(S.K.Agarwal)

Member (J).