

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 04.08.2000

OA No. 162/1996)

1. Rajendra Kumar Gupta S/o. late Shri Bhagwan Sahai Gupta, aged around 30 years, resident of Mohalla Dautpuria, Malan Ki Gali, Lalkhambo Ki Haveli, Alwar, presently working as Tea Boy/ Tea Maker, Tiffin Room, Telephone Exchange, Alwar.
2. Anil Kumar Gupta S/o late Shri Bhagwan Sahai Gupta, aged around 33 years, resident of Mohalla Dautpuria, Malan Ki Gali, Lalkhambo Ki Haveli, Alwar, presently working as Wash Boy, Tiffin Room, Telephone Exchange, Alwar.

.. Applicants

V e r s u s

1. Union of India through Secretary, Ministry of Telecommunications, Govt. of India, New Delhi.
2. Chief General Manager, Telecommunications, Rajasthan Circle, Jaipur.
3. Telecom District Manager, Alwar.
4. Sub Divisional Engineer, Phones, Alwar.

.. Respondents

Mr. P.P.Mathur, Proxy counsel to Mr. R.N.Mathur, counsel for the applicants

Mr. V.S.Gurjar, counsel for respondents

CORAM:

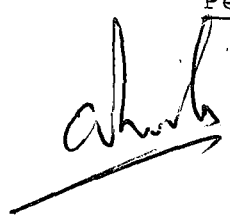
Hon'ble Mr. S.K.Agarwal, Judicial Member

Hon'ble Mr. N.P.Nawani, Administrative Member

ORDER

Per Hon'ble Mr. N.P.Nawani Administrative Member

The applicants have filed this Original Application

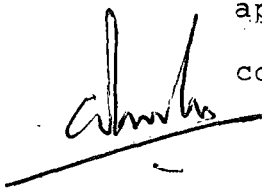


with a prayer to quash the order dated 29.2.1996 (Ann.A1) by which the applicants were informed that they will be deemed to have been retrenched from service w.e.f. 31.3.1996 and seek further direction that Tiffin Room be continued.

2. The Tiffin Room attached with the Telephone Exchange, Alwar was also planned to be closed as it was not registered with the Director (Canteens). However, the letter dated 15.5.1997 issued by the Government of India, Ministry of Communications has now prescribed that the relief of declaring the employees of the Canteens/Tiffin Rooms provided under the judgment of the Apex Court has also been extended to Canteens/Tiffin Rooms not registered with the Director (Canteens), provided that such Canteens/Tiffin Rooms were set up by the Departmental authorities before 1.10.1991 and employees therein were recruited in a proper manner and such recruitment was made on regular basis.

3. This Bench, apart from other Benches of this Tribunal, has recently decided a similar matter vide its order dated 29.6.2000 in OA No. 299/1996, Sube Singh and Anr. v. Union of India and anr. Since the judgment, rendered in the said OA squarely covers the controversy at hand and the applicants were appointed by the Assistant Engineer, Phone, Alwar vide order dated 3.7.1982, we feel that the ends of justice will be met, if we pass similar order in this OA also. We, therefore, order as under:-

The impugned order dated 29.2.1996 (Ann.A1) is set-aside and quashed and the respondents are directed to consider the case of regularisation of the applicants within six months of the receipt of a copy of this order. In the circumstances, there will



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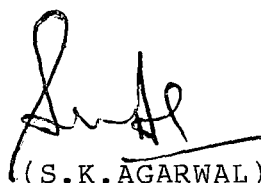
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be no order as to costs.



(N.P. NAWANI)

Adm. Member



(S.K. AGARWAL)

Judl. Member