

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

R.A. NO. 0.A. No. 14

of 1998 (in O.A. No. 207 of 1997)

DATE OF DECISION... 1-9-1999

Sri D. Nath

(PETITIONER(S))

Mr. M. Chanda, Mrs. N. D. Goswami

ADVOCATE FOR THE
PETITIONER(S)

-VERSUS-

Union of India & Ors.

RESPONDENT(S)

Mr. A. Deb Roy, S.R.C.G.S.C.

ADVOCATE FOR THE
RESPONDENTS.

THE HON'BLE MR. G. L. SANGLYINE, ADMINISTRATIVE MEMBER
THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble MEMBER

Sanglyine
1-9-99

V

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Review Application No.14 of 98 (in O.A.No.207 of 1997)

Date of Order: This the 1st Day of September 1999

Hon'ble Mr.G.L.Sanglyine, Administrative Member

Sri D.Nath Petitioner

By Advocate Mr.M.Chanda, Mrs.N.D.Goswami.

-Vs-

1. Union of India,
through Secretary,
Government of India,
Ministry of Home Affairs,
New Delhi. & 3 others. Respondents.
By Advocate Mr.A.Deb Roy, Sr.C.G.S.C

O R D E R S.

G.L.SANGLYINE, ADMINISTRATIVE MEMBER:

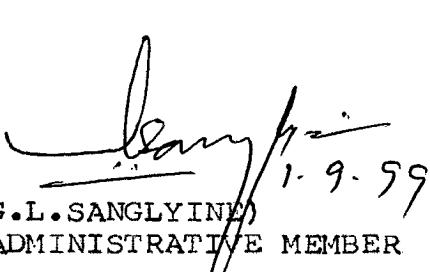
This Review Application was submitted by the applicant in O.A.No.207 of 1997 seeking review of the order dated 15-7-1998 disposing of the O.A. I have perused the Review Application, the Original Application and the order dated 15-7-1998 sought to be reviewed. I have heard learned counsel of both sides. In the Original Application the applicant sought a direction on the respondents to appoint him on priority basis against existing vacancies of Constable or any other Group 'D' post on regular basis. In the order dated 15-7-1998 dealing with the contention that the applicant being a casual employee with the respondents he was entitled to granting of temporary status, regularisation and appointment, it was held that the applicant was no longer a Casual Worker under the respondents after 25-9-1992 and, therefore, the

contd/-

scheme in terms of the Office Memorandum dated 10-9-1993, which was applicable to casual employees who were in services as on that day, was not applicable to the applicant. At any rate, he had forfeited all benefits of past services of Casual Worker up to 25-9-1992 after he had joined ~~any~~ another service as Constable in the Tripura Police. The applicant was taken again as Casual Worker under the respondents from 1-4-1995 to 10-10-1995. For this period it was held that even if the scheme was at all applicable to the Casual Worker engaged after coming into force of the scheme, the scheme will not be applicable to the applicant in the facts of the case as he had worked for a period of about 6 months only. It was further held that appointment by any other method of recruitment can be given to the applicant only by the respondents by taking recourse to normal process of recruitment and it was not for the Tribunal to issue any direction for appointment of the applicant through such process. On the basis of those findings and decisions the application was dismissed. The above mentioned findings and decisions in the order dated 15-7-1998 are definite and with reasons. I am therefore, of the view that the order is outside the scope of review.

The Review application is dismissed. No order as to costs.

LM


(G.L. SANGLYINE)
ADMINISTRATIVE MEMBER

1.9.99