

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. No. 240 of 1998

6
7.3.2000
DATE OF DECISION.....

Shri Padmanava Roy

PETITIONER(S)

Mr B.K. Sharma and Mr S. Sarma

ADVOCATE FOR THE
PETITIONER(S)

-VERSUS-

The Union of India and others

RESPONDENT(S)

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

ADVOCATE FOR THE
RESPONDENT(S)

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

THE HON'BLE MRS LAKSHMI SWAMINATHAN, JUDICIAL MEMBER

1. Whether Reporters of local papers may be allowed to see the judgment ? *No*
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 Judicial Member

J. Swetha

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.240 of 1998

Date of decision: This the 7th day of March 2000

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

The Hon'ble Mrs Lakshmi Swaminathan, Judicial Member

Shri Padmanava Roy,
Casual Labour, Central Water Commission,
Upper Brahmaputra Division,
Dibrugarh.

...Applicant

By Advocates Mr B.K. Sharma and Mr S. Sarma.

- versus -

1. The Union of India, represented by the
Secretary to the Government of India,
Ministry of Water Resources,
New Delhi.

2. The Chairman, Central Water Commission,
New Delhi.

3. The Superintending Engineer,
Hydrological Observation Circle, C.W.C.,
Guwahati.

4. Executive Engineer, C.W.C.,
Upper Brahmaputra Division,
Dibrugarh.

...Respondents

By Advocate Mr A. Deb Roy, Sr. C.G.S.C.

.....

O R D E R (ORAL)

MRS L. SWAMINATHAN, MEMBER (J)

In this O.A., the applicant has claimed certain reliefs which are set out in para 8 of the O.A.

2. We have heard the learned counsel for the parties and perused the pleadings.

3. In O.A.No.241 of 1998 disposed of by order of even date, the main reliefs prayed for in this O.A. have been dealt with. For the reasons given in that order, the prayer in paras 8.1 and 8.2 are rejected, namely, for a direction to

8:

the respondents to regularise the applicant with retrospective effect and to extend the benefit of the order of the Principal Bench of the Tribunal dated 10.2.1994 in O.A.No.223 of 1994 with connected cases.

4. The learned counsel for the applicant does not press the relief in para 8.3 as he has also not pressed the same relief in O.A.No.241/98.

5. Mr S. Sarma, learned counsel for the applicant, has, however, submitted that the applicant has not been granted temporary status even according to the Scheme dated 1.6.1997. However, we find from the reply that the respondents have stated that this is not correct as he has been conferred temporary status in terms of the Scheme of 1997 alongwith other benefits flowing therefrom. No rejoinder has been filed to controvert this averment. Accordingly this prayer has become infructuous.

6. With regard to the reliefs claimed in para 8.4, namely, for a direction to the respondents to modify the Scheme prepared in 1997, the learned counsel for the applicant has made similar submissions as has been made in O.A.No.241 of 1998.

7. In view of the fact that the applicant in the present case is similarly situated as the applicants in O.A.No.241 of 1998 and for the reasons given in our order of even date in that O.A., this application is being disposed of with the following directions:

The respondents to consider review of para 6(iv) in the Scheme dated 1.10.1997 so as to give some weightage to the past services rendered by the applicant as casual labourer till the date of the commencement of the Scheme.

P: Necessary.....

: 3 :

Necessary action in this regard shall be taken within four months from the date of receipt of a copy of this order with intimation to the applicant.

No order as to costs.

Lakshmi Swaminathan

(MRS LAKSHMI SWAMINATHAN)
Judicial Member

G. L. Sanglyine

(G. L. SANGLYINE)
Administrative Member

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