

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 777 of 2002

Jabalpur, this the 26th day of March 2003.

Hon'ble Mr. Shanker Raju - Member (Judicial)  
Hon'ble Mr. R.K. Upadhyaya - Member (Admnv.)

Yashwant Singh Shayalwar  
S/o Shri J.L. Shayalwar,  
aged 30 yrs.  
R/o 1426 Uday Nagar V.F.J.  
Jabalpur

APPLICANT

(By Advocate- Shri D.P. Yadav)

VERSUS

1. Union of India, through the Secretary,  
Ministry of Defence, New Delhi.
2. Controller of Defence Accounts,  
Ridge Road, Jabalpur.
3. Controller Central of Defence Accounts  
West Block, R.K. Puram New Delhi.

RESPONDENTS

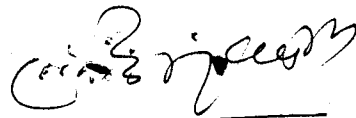
O R D E R (ORAL)

By Shanker Raju, Member (Judicial) :-

The applicant who alleges to be in engagement on casual basis with the respondents from 01/04/1997 assails that by a verbal order his services were dispensed. He places reliance on the decision in OA No. 686/1998 decided on 12/10/2001, wherein having regard to deemed grant of temporary status the respondents have been directed to consider the applicant for engagement on casual basis with deemed temporary status if work still exist. It is also observed that they would also be considered against Group-D post in accordance with DOPT OM dated 10/09/1993.

2. In view of the decision of Union of India Versus Mohan Pal 2002 SCC (L & S) 577 wherein DOPT Scheme of 10/09/1993 has been observed as one time measure and casual labourers

who were in engagement on 01/09/1993 were accorded temporary status. The claim of the applicant for temporary status cannot be countenanced. However in the light of the OM, dated 07/06/1988 whereon working for two consecutive years for 240/206 days casual workers are to be considered to be absorbed against Group-D post, the representation of the applicant is yet to be disposed of. Therefore it would be appropriate in the interest of justice to dispose of this OA at this stage by directing the respondents to consider the representation of the applicant and the contentions thereof by a detailed and speaking order within two months from the date of receipt of copy of this order. Let a copy of this Original Application be sent to the respondents.



(R.K. UPADHYAYA)  
MEMBER (A)



(SHANKER RAJU)  
MEMBER (J)

पृष्ठांकन से ओ/न्या.....  
पत्रिका.....  
(1) .....  
(2) .....  
(3) .....  
(4) ..... "SA"  
सूचना एवं आवश्यक कोषागार

DP. Yadav, Adl.  
RSP no. 2 with polit  
1.4.03

Issued  
on 1-4-03  
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