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CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 30.08.2012

MA No. 285/2012 & MA No. 286/2012 (OA No. 216/2011)

Mr. Rajendra Vaish, counsel for applicants.
Mr. D.C. Sharma, counsel for respondents.

MA No. 285/2012

Heard on the Misc. Application No. 285/2012 filed on behalf of the applicants for seeking condonation of delay in filing the MA No. 286/2012 for seeking restoration of OA No. 216/2011. Having considered the submissions made on behalf of the respective parties, the MA No. 285/2012 stands allowed.

MA No. 286/2012

Heard on the Misc. Application for restoration of the Original Application. Having considered the submissions made on behalf of the respective parties, and the reasons stated in the Misc. Application, we are fully satisfied with the reasons stated. Thus, the Misc. Application for restoration of the Original Application stands allowed. The Original Application is restored to its original number and status and the same is taken up for final disposal today itself.

(OA No. 216/2011)

Heard learned counsel for the parties. O.A. is disposed of by a separate order on the separate sheets for the reasons recorded therein.


(JUSTICE K.S. RATHORE)
JUDICIAL MEMBER

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH

Jaipur, this the 30th day of August 2012

ORIGINAL APPLICATION No. 216/2011

CORAM:

HON'BLE MR. JUSTICE K.S.RATHORE, MEMBER (JUDL.)

1. Suresh Singh Tanwar s/o late Shri Magan Singh, r/o Plot No.6, Kailash Nagar, Kumawat Colony, Jhotwara, Jaipur
2. Gajpal Singh Atri s/o late Shri Ranjeet Singh, r/o C-87-A-, Mother Teresa Nagar, Gatore Mode, Malviya Nagar, Jaipur.
3. Ashok Gothwal s/o Late Shri Chhajuram Gothwal, r/o B-348, Mahesh Nagar, Jaipur
4. Ramnarayan Dholi, s/o Shri Bhuralal, Dholi r/o House No.E-27, Phase-III, Jhalana Doongari, Jaipur
5. Gajraj Singh s/o late Shri Mool Singh r/o Vill. Damodarpura, Tehsil Bassi, Jaipur
6. Rajendra Prasad Sharma, R/o NH-8, Delhi Road, Vill. Kukas, Tehsil Amer, Jaipur.
7. Avdesh Bhatnagar S/o late Shri Mahaveer Prasad Bhatnagar, R/o 11/65, Agarwal Farm, Vijay Path, Mansarovar, Jaipur.
8. Rakesh Kumar Chaturvedi S/o late Shri Dharam Narayan Chaturvedi, R/o B-6, Anar Bhawan, Motilal Atal Road, Jaipur.
9. Siyaram Meena S/o late Shri Nrasingh Lal Meena, R/o Vill. Hiravali Post Kuthada Khurd, via Kanota, Tehsil Bassi, Jaipur.
10. Dilip Lakhani S/o Shri K.D. Lakhani, R/o 30/48/5, Varun Path, Mansarovar, Jaipur.
11. Abdul Shafique S/o Abdul Latif R/o 28/9, Hussain Manjil, Teeva Jangiyar, Chaukri Ramchandra Ji, Jaipur.

12. Vijay Singh S/o Shri Dharamsingh, R/o 121, Kumawat Colony, Jhotwara, Jaipur.
13. Shailesh Kumar S/o late Laduram Ji, R/o Opp. Radha Govind Mandir, N.B.C. Road, Hasanpura, Jaipur.
14. Vijay Singh Chauhan S/o Shri Udai Singh, R/o Plot No. D-49, Prem Nagar, Khatipura Road, Jhotwara, Jaipur.

All working as Casual Floor Asstt. at Doordarshan, Jaipur and applicant no. 14 is Painter at Jaipur.

... Applicants

(By Advocate: Shri Rajendra Vaish)

Versus

1. The Union of India through the Secretary to the Government, Ministry of Information and Broadcasting, Government of India, New Delhi.
2. The Director General, Prasar Bharti, Bhartiya Prasaran Nigam, Doordarshan Kendra, Mandi House, New Delhi.
3. The Director, Doordarshan Kendra, Jhalana Doongari, Jaipur.

... Respondents

(By Advocate : Shri D.C. Sharma)

ORDER (ORAL)

The applicants in this OA pleaded that in view of the scheme 10.6.1992 (Ann.A/8) as amended vide order dated 17.3.1994 (Ann.A/9) and looking to the fact that their names have been placed in the eligibility list Ann.A/10, they are entitled to be considered for substantive status in view of the judgment dated 28.6.1994 passed by this Bench of the Tribunal in OA No.663/1993 as



well as order dated 29.11.2001 passed in OA No.61/2001 and only prayed that the respondents be directed to implement their order dated 10.1.2006 (Ann.A/20) and dated 25.5.2006 (Ann.A/22) in favour of the applicants.

2. The learned counsel appearing for the applicants also submitted in para 4.11 of the OA that there are as many as 12 vacancies available with the respondents and in the rejoinder also, the applicants submitted that six more persons are going to retire on attaining the age of superannuation by 30th April, 2012 and also referred their names in para 3 of the rejoinder to reply.


3. It is not disputed by the respondents that the scheme for regularization is approved by the Government and regularization of services of the applicants are only possible on availability of vacancies with the respondents as stated in Para 4.1 of their reply and further averred in para 4.13 that the case of casual employees is still in process and on availability of posts the respondent No.2 issues orders to respondent No.3 for regularization of services from the panel eligible candidates on the post.



Admittedly, names of the applicant find place in the panel of the eligible candidates. The applicants have averred that there are as many as 18 vacancies lying vacant with the respondents. It is for the respondents to verify the same as the respondents in their reply have not controverted this fact.

4. Therefore, in our considered view ends of justice will be met if we direct the respondents to consider case of the applicants for regularisation in view of the policy framed by them against the vacancies as pointed out by the applicants since names of applicants find place in the panel of eligible candidates. The respondents shall undertake this exercise and do needful expeditiously, but in any case not beyond the period of three months from the date of receipt of a copy of this order. Ordered accordingly.

5. With these observations, the OA stands disposed of with no order as to costs.


(JUSTICE K.S.RATHORE)
Judl. Member