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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH ::: GUWAHATI-5.

O.A. NO. 164/94
T.A. NO.

DATE OF DECISION 12-9-97

Sri Brojen Chandra Boro

(PETITIONER(S))

Mr. J. L. Sarkar, Mr. M. Chanda

ADVOCATE FOR THE
PETITIONER (S)

VERSUS

Union of India & Ors.

RESPONDENT (S)

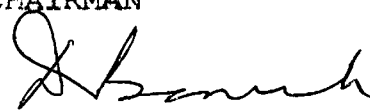
Mr. S. Ali, Sr. C.G.S.C.

ADVOCATE FOR THE
RESPONDENT (S)

THE HON'BLE MR. JUSTICE D.N. BARUAH, VICE-CHAIRMAN
THE HON'BLE SHRI G.L. SANGLYINE, ADMINISTRATIVE MEMBER

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 VICE-CHAIRMAN



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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.164/94

Date of Order : This the 12th Day of September 1997

HON'BLE SHRI D.N.BARUAH, VICE-CHAIRMAN

HON'BLE SHRI G.L.SANGLYINE, ADMINISTRATIVE MEMBER

1. Sri Brojen Chandra Boro, & Ors.
Government of India
Ministry of Health and Family Welfare,
Directorate General of Health Services
Government of Medical Store Depot
Post Box No.84, Gauhati-781001.

By Advocate Mr.J.L.Sarkar, Mr.M.Chanda

-Vs-

1. Union of India
Through the Secretary, Govt. of India,
Ministry of Health & Family Welfare,
New Delhi.
2. The Director General of Health Services,
Govt. of India,
Ministry of Health & Family Welfare,
New Delhi-22
3. Deputy Assistant Director General (MS)
Govt. of India,
Ministry of Health & Family Welfare,
Govt of Medical Store Depot,
P.O. A.K.Azad Road,
Gopinath Nagar,
Guwahati-16.

By Advocate Mr.S.Ali, Sr.C.G.S.C.

O R D E R.

BARUAH J. (V.C.) :

All the above 10 applicants have filed this application praying for inter alia for grant of Temporary status and subsequent regularisation under the scheme of Government of India known as Casual Labourers, Temporary status scheme. The scheme came into force on 1993.

contd/-

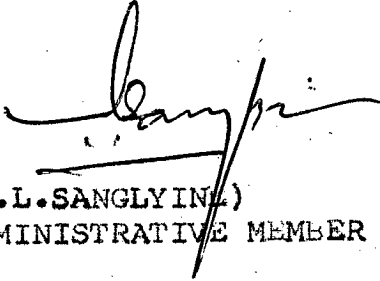
The case of the applicants is that they were engaged Casual labourer in Government Medical Stores Depot, Guwahati, on various dates in the year 1994 and 1995. The applicant had been working as Casual labourers when the said scheme ~~was~~ came into force and they have been working since 1994. Out of 10 applicants 7 applicants, namely, applicant Nos.1,2,5,6,7, 8 & 9 have already been given the Temporary Status and subsequently regularised to the exclusion of the remaining 3 applicants, namely the applicant No.3,4 & 10 though they are similarly situated. These three applicants alongwith others as stated above have filed this present application for grant of temporary status and subsequent regularisation of services. Their grievance is that the juniors have been granted temporary status and then regularised later on by depriving the legitimate claim of the applicants. Hence this Present application.

2. Heard Mr.J.L.^Sarkar learned counsel appearing the present applicants namely; applicant Nos. 3,4, & 10. Mr.S.^Ali, learned ^Sr.C.G.S.C. for the respondents. The facts are not disputed by the respondents. Mr.Sarkar submits that as per the said scheme the present applicants are entitled to get temporary status and subsequent regularisation. They have fulfilled the conditions of the scheme. Mr.S.^Ali, learned Sr.C.G.S.C. very fairly submits that as per facts and circumstances of the case the applicants are also entitled to get temporary status and subsequent regularisation under the aforesaid scheme.

contd/-

Considering the submissions of learned counsel for the parties, we dispose of the application with a direction to the respondents to grant temporary status and subsequent regularisation as per the scheme. We have given this direction as the facts are admitted. Mr.Sarkar further submits that they are entitled to get the increments also. Let the authority to decide the matter regarding increments as early as possible at any rate within a period of 1 month from the date of receipt of this order.

If the applicants are still aggrieved regarding increments they may approach the appropriate authority.


(G.L.SANGLYIN)
ADMINISTRATIVE MEMBER


(D.N.BARUAH)
VICE-CHAIRMAN

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