

Central Administrative Tribunal  
Principal Bench: New Delhi

OA No.1548/2013

New Delhi this the 9<sup>th</sup> day of March, 2017

**Hon'ble Mr. V. Ajay Kumar, Member (J)**  
**Hon'ble Mr. P.K. Basu, Member (A)**

1. S/Shri Birpal aged about 54 years  
S/o Late Shri Ganga Das
2. Ashok Kumar aged about 50 ½ years  
S/o Late Shri Chanderban
3. Bindu aged about 45 years  
S/o Late Shri Chhidda
4. Dharambir aged about 45 years  
S/o Late Shri Ganga Das
5. Hari Chand aged about 45 ½ years  
S/o Late Shri Narayan Singh
6. Dharambir aged about 44 years  
S/o Shri Nainu
7. Jai Prakash aged about 58 years  
S/o Late Shri Ved Ram
8. Kanti aged about 51 years  
S/o Late Shri Budhhu
9. Sant Pal Singh aged about 54 ½ years  
S/o Late Shri Malkhan Singh

(All are presently working as Casual Labourer conferred with Temporary Status performing Duty against the sanctioned Regular Post of Farm Beldar or Syce on as required Basis in the establishment of EBS Babugarh under Dte. Gen RVS (RV-1) QMG's Branch AHQ Ministry of Defence while Applicant No.1, 7 to 9 are R/o Village Atuta, No.2 to 4 are R/o Village Bigas, No.5 is R/o Village Simrauli and No.6 R/o Ward No.6, Nai Basti P.O. Babugarh Cantt by grant of fixing pay in Pay Scale of Rs.1800/- imparting requisite training to be brought on par with workers

who posses qualification of Matriculation Except one Shri Birpal who is already Matriculate)  
(By Advocate: Shri V.P.S.Tyagi)

Versus

1. The Union of India  
(Through Secretary)  
Ministry of Defence  
South Block, New Delhi.
2. The Director General of RVS (RV-1)  
QMG's Branch AHQ  
IHQ of MOD (Army)  
West Block-III, R.K.Puram, New Delhi.
3. The Addl. Director General Org 4 (Civ) (a)  
Adjutant General's Branch AHQ  
DHQ PO New Delhi-110011.
4. The Commandant  
Equine Breeding Stud  
Babugarh Cantt, Distt Hapur (UP).
5. Pawan Kumar S/o Shri Pratap Singh
6. Punesh Pal S/o Shri Jaipal Singh  
(Selected as Stable Safaiwala)
7. Paramveer S/o Shri Devender
8. Naresh S/o Shri Sunder Singh
9. Ankir Kumar S/o Shri Bijender
10. Abhimanyu S/o Shri Surdesh Pal
11. Prem Prakash S/o Shri Jule Singh
12. Sohan Singh S/o Shri Sumer Singh
13. Parvinder Singh S/o Shri Bhagwat Prasad
14. Mohit Sagar S/o Shri Harprasad Singh  
(Selected for the post of Farm Beldar)

15. Muzamil S/o Shri Idrees
16. Kapil Kumar S/o Shri Sukhbir Singh
17. SP Sing Kasana S/o Shri Poonya Rani Gurzar
18. Vinod Kumar S/o Shri Sukhveer Singh
19. Arun Kumar S/o Shri Tarachand
20. Manjeet Singh S/o Shri Sukhveer
21. Ram Pal Singh S/o Shri Jagat Singh
22. Sunil Kumar S/o Shri Raghunath Singh
23. Hariom S/o Shri Tara Chand
24. Kishore Kumar S/o Shri Hori Lal
25. Sunil Kumar S/o Shri Chanderpal
26. Ombeer Singh S/o Shri Roop Rani Singh
27. Rahul Kumar S/o Shri Satyawan
28. Mukesh Kumar S/o Shri Dharampal
29. Hemant Kumar S/o Shri Chanderbhan
30. Moil Malik S/o Shri Ashraf Malik
31. Praveen Kumar S/o Shri Shivanand Patel
32. Arvind Kumar S/o Shri Faitu Prasad
33. Jitender Singh S/o Shri Gauri Shanker  
(Sl.Nos.5 to 33 Selectees for the post of Syce  
All private respondents at Sl.No.5 to 33 are to be served through  
Commandant EBS Babugarh) ...Respondents  
(By Advocate: Shri Hilal Haider)

**ORDER (ORAL)****By Mr.V.Ajay Kumar, Member (J):**

Heard both sides.

2. The applicants, who are Casual Labourers with Temporary Status (CLTS) under the respondents, filed the present OA seeking the following reliefs:

"(a) Quash and Set aside the list of Selected as impugned (A-3) being illegal, and dehors the Rules and govt. instructions as well as Judicial Pronouncements on the subject with direction to the Respondents to accord substantive absorption by regularization against the Regular Post of Farm Beldar or Syce as per their seniority and merit.

(b) Hold and declare the clarification dt. 20.9.2011 (A-1) to be not in consonance with the govt. instructions as per (A-7) and the matriculation qualification cannot be imposed upon the applicants who are to be governed for substantive absorption against Regular Post under the provisions of DoP&T Om dt. **10.9.93 & 7.6.88.**

(c) Hold and declare the Dte Generals of RVS (RV-1) Communication dt. **14.6.2012 (A-2)** addressed to **the Respondent No.4** is uncalled far and being made in undue haste.

(d) Pass any order or direction as deemed just and proper in the facts and circumstances of the matter with award of the cost of the OA against the Respondents and in favour of Applicants."

3. When the matter is taken up for hearing, learned counsel for the respondents while drawing our attention to the counter and the additional affidavit filed by them submits that after the O.A. is filed, all the applicants have been regularized and hence the OA

has become infructuous. Learned counsel for the applicants while not denying the said fact of regularization of the services of the applicants, however, submits that they have further claims relating to dates of regularization, financial benefits, arrears etc.

4. In the circumstances, the OA is disposed of by granting liberty to the applicants to make detailed representations clearly indicating their remaining grievances to the respondents and in such an event the respondents shall consider the same and pass appropriate speaking and reasoned orders, within a reasonable period, in accordance with law. No costs.

**(P.K.Basu)**  
**Member (A)**

**(V.Ajay Kumar)**  
**Member (J)**

/kdr/