

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA NO.845/2013

New Delhi this the 15th day of September, 2016

HON'BLE DR BRAHM AVTAR AGRAWAL, MEMBER (J)

Smt. Raj Rani,
W/o Late Sh. Jagmohan Sharma,
House No.417, Ward No.3,
Mehrauli, New Delhi-110030.

...Applicant

(By Advocate: Mr. Rajesh Aggarwal)

VERSUS

1. Union of India
Through Secretary,
Department of Company Affairs,
"A" Wing, Shastri Bhawan,
Rajendra Prasad Road,
New Delhi-110 001.

2. Registrar of Companies
NCT of Delhi & Haryana,
4th Floor, IFCI Tower, 61,
Nehru Place,
New Delhi-110019.

...Respondents

(By Advocate: Mr. T.C. Gupta)

ORDER (Oral)

Heard the learned counsel for the parties and perused the pleadings.

2. The applicant, who had been appointed as a Casual Labour on 3rd June, 1997 and later granted temporary status by the

respondents, vide the office order dated 29.12.1998 (Annexure A-1), seeks permanent status, contending that three other employees, who are similarly placed, were granted permanent status, namely, S/Shri Brij Lal Belwal, Raghu Kumar and Singhasan Rai. The said three employees were granted permanent status as per the Tribunal's order dated 21.08.2001 in their OA No.2101/2001. Paras 3 and 4 of the said order read as under:-

"3. Upon consideration of the issues raised by the learned counsel and having regard to the facts and circumstances of the case together with the provisions made in the DOP&T scheme of 10th September, 1993, I am inclined to dispose of this OA at this very stage without issuing notices with a direction to the respondents to consider the claims of the applicants for appointment against the single vacancy notified by them as above as also against any other vacancy which might have arisen under their jurisdiction and to appoint all or any of them subject to their fulfilling the required conditions and qualifications. The respondents shall keep in mind the option given by the applicants that they were prepared to serve at any place in India. The aforesaid exercise will be completed by the respondents within a period of three months from the date of receipt of a copy of this order. The respondents are directed accordingly.

4. The OA is disposed of in the aforesaid terms at the admission stage itself. No costs."

3. The instant OA may be disposed of with a direction to the respondents to consider the claim of the applicant for permanent status in the light of the aforesaid order of the Tribunal, if he makes a representation to the respondents within four weeks. The respondents shall consider the applicant's claim within four weeks thereafter and if the same is not accepted, pass a speaking

order, to be communicated to the applicant. If the applicant still feels aggrieved and if so advised, she may file a fresh OA challenging the respondents' order.

4. The OA is disposed of accordingly. No costs.

(DR BRAHM AVTAR AGRAWAL)
MEMBER (J)

/JK/