

**Central Administrative Tribunal  
Principal Bench**

**OA No.3501/2017  
MA No.3726/2017**

New Delhi, this the 5<sup>th</sup> day of October, 2017

**Hon'ble Shri V. Ajay Kumar, Member (J)  
Hon'ble Ms. Nita Chowdhury, Member (A)**

1. Shri Sukh Dev (Age about 64 years)  
Group 'C',  
Late Shri Kishan Chand Sharma,  
Working as Casual Labour,  
O/o Dy. Superintending Archaeological Chemist,  
Delhi Zone, Red Fort,  
Delhi-110006.  
R/o H. No.9/1198, Multani Muhalla,  
Gandhi Nagar,  
Delhi-31.
2. Sh. Om Prakash (Age about 61 years),  
Group 'C',  
S/o Late Shri Sumeru,  
Working as Casual Labour,  
O/o Dy. Superintending Archaeological Chemist,  
Delhi Zone, Red Fort,  
Delhi-110006  
R/o H.No.99, Street No.2,  
M.C.D. School, Sadatpur,  
North West Delhi,  
Delhi-110094.

...Applicants

(By Advocate : Shri A.K. Bhakt )

**Versus**

Union of India & Others (Ministry of Culture),  
Through

1. The Secretary,  
Ministry of Culture,  
Shastri Bhawan,  
New Delhi.
2. Director General,  
Archaeological Survey of India,

Janpath, New Delhi.

3. Dy. Superintending Archaeological Chemist,  
Archaeological Survey of India,  
Red Fort Complex, Delhi-06.
4. Director (Science),  
Archaeological Survey of India,  
29, New Cantt. Road, Dehradun,  
Uttarakhand.

....Respondents

(By Advocate : Shri D.S. Mahendru)

### **ORDER (ORAL)**

**Mr. V. Ajay Kumar, Member (J) :-**

#### **MA No.3726/2017**

For the reasons stated therein, the MA filed for joining together in a single Application is allowed.

#### **OA No.3501/2017**

Heard Shri A.K. Bhakt, learned counsel for applicant and Shri D.S. Mahendru, learned counsel, on receipt of advance notice for the respondents.

2. The applicants, who are working as casual labourers under the respondents filed the present OA seeking the following reliefs :-

- “(I) To declare the inaction of the respondents by which they are not considering Temporary Status and arrears 1/30<sup>th</sup> of Minimum Pay Scale plus DA at relevant CPC after consideration of Screening Committee is illegal, unjust, arbitrary, malafide, unconstitutional violative of Article 14, 16 and 21 of Constitution of India and against the principle of natural justice.

- (III) To direct the respondents to grant Temporary Status, regularization and arrears of wages @ 1/30<sup>th</sup> of Minimum Pay Scale plus DA at relevant CPC which are already considered by Screening Committee.
- (III) Direct the respondents to release arrears of pay, all the retiral benefits as per rules with reasonable interest.
- (VI) To award exemplary cost on the respondent for causing undue harassment.
- (V) To pass any other order or orders which this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case."

3. It is submitted that the applicants made number of representations vide Annexure-A/1 (Colly), ventilating their grievances to the respondents, however, no orders have been passed thereon till date.

4. In the circumstances, the OA is disposed of without going into the merits of the case, with a direction to the respondents to decide the Annexure-A/1 (Colly) representations of the applicants, by passing a reasoned and speaking order within a period of 90 days from the date of receipt of a certified copy of this order, in accordance with law. No costs.

( Nita Chowdhury )  
Member (A)

( V. Ajay Kumar )  
Member (J)

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