

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

COURT NO. : 1

12/12/2018

O.A./260/563/2018
FOR INTERIM PRAYER

R SWAIN

-V/S-

ARCHOEOLOGICAL SURVEY OF INDIA

ITEM NO:6

FOR APPLICANTS(S) Adv. : Mr. B. Rout

FOR RESPONDENTS(S) Adv.: Mr. R.K. Kanungo

Notes of The Registry	Order of The Tribunal
	Heard Ld. Counsel for both sides. Ld. Counsel for the applicant submitted that the grievance of the applicant is for regularization for which he has been representing since 2001 to the authorities. However, his case has not been considered. He also cited decisions of the Hon'ble High Court and Hon'ble Supreme Court in similar cases. For these two cases, copy of the judgments have been furnished. He further submitted that the applicant as on date is continuing in service as casual labourer in spite of the fact that he has put more than 20 years of service. Ld. Counsel for the Respondents submitted that the claim of the applicant cannot be considered because of the delay. In many other similar cases the request for regularization has been rejected by the Tribunal and in many cases matters are pending before the Hon'ble High Court. It is seen that the applicant has not approached the authority before approaching this Tribunal. Hence, without expressing any opinion on merit of this case including the issue of delay, the O.A. is disposed of

at this stage with liberty to the applicant to file a comprehensive application indicating the grounds taken in this O.A. and enclosing the copies of the judgments/citations on which the applicant has relied upon to Respondent No.4/competent authority within 15 days. On receipt of such application the Respondent No.4/competent authority shall consider the same as per the rules and guidelines of the Government and pass an appropriate speaking and reasoned order copy of which is to be communicated to the applicant within three months from the date of receipt of such representation.

The O.A. is disposed accordingly. No costs.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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