

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. O.A. 1168 of 2011

Date of order : 29.3.2016



Present : Hon'ble Justice Shri Vishnu Chandra Gupta, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

MADAN CHHETRI & ORS.

VS.

UNION OF INDIA & ORS. (Defence)

For the Applicant : Mr. B.P. Subba, Counsel

For the Respondents : Mr. R. Mukherjee, Counsel

O R D E R (Oral)

Justice Shri Vishnu Chandra Gupta, Judicial Member:

Heard the Ld. Counsel for the applicant and the Ld. Counsel appearing for the respondents.

2. The applicants claiming themselves to be a Casual Labour, whose services have been terminated in 2011 but the matter was pending before the Hon'ble High Court in Writ Petition No. 11420 (W) of 2009 it has been contended that the applicants are entitled for regularisation in terms of decision taken by the Ministry of Defence vide letter dated 28.5.1998 . The copy of the aforesaid letter is annexed at page 74. The perusal of the same reveals that only those Casual Labourers who on 10.9.1993 completed 240 days or 208 days as the case may be may be consideration for regularisation in terms of Scheme after granting temporary status.

3. The records pertaining to completion of 240 days or 208 days, as the case may be, is not before this Tribunal. That would be with the department.

4. Therefore, we direct the authorities concerned to consider the case of each of the petitioner in the light of the aforesaid Scheme after considering the fact that if they have completed 240 days or 208 days as the case may be as on

10.9.1993, they may be considered for regularisation in terms of the aforesaid scheme. This exercise be completed within a period of six months from the date of communication of this order by the concerned authorities under intimation to the applicants by passing a reasoned and speaking order.

5. The O.A. is, accordingly, disposed of. There shall be no orders as to costs.

(Jaya Das Gupta)
MEMBER(A)

13/3/2016
(Vishnu Chandra Gupta)
MEMBER(J)

SP