

O.A.No. 063/740/2019
O.A.No. 063/741/2019
O.A.No. 063/745/2019
O.A.No. 063/746/2019
O.A.No. 063/748/2019

CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CIRCUIT BENCH AT SHIMLA

This the 19th day of July, 2019

CORAM: HON'BLE MR.SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MR. A.K. BISHNOI, MEMBER (A)

(I) OA No. 063/740/2019

Smt. Vidya Devi w/o Shri Sukhdev Singh Chandel R/o Chauhan Niwas, Moti Baag, Lower Kaithu, Shimla-3 (Group-D), age 46 years, presently posted as MTS (Safai Karamchari), Labour Bureau, Shimla-171 004.

.....Applicant

BY: SH. M.L. SHARMA

VERSUS

1. Union of India through the Secretary (Labour & Employment to the Government of India, Shram Shakti Bhawan, Rafi Marg, New Delhi-110 001.
2. The Director General, Labour Bureau, SCO No. 28-31, Sector 17-A, Chandigarh-160 017.

.....Respondents

(II) OA No. 063/741/2019

Smt. Smt. Anita w/o Shri Khushi Ram R/o 'Dhani Ram Building', Laal Kothi, Phagli, aged 44 years (Group D), presently posted as MTS (Safai Karamchari), Labour Bureau, Shimla-171 004.

.....Applicant

BY: SH. M.L. SHARMA

VERSUS

1. Union of India through the Secretary (Labour & Employment to the Government of India, Shram Shakti Bhawan, Rafi Marg, New Delhi-110 001.
2. The Director General, Labour Bureau, SCO No. 28-31, Sector 17-A, Chandigarh-160 017.

.....Respondents

O.A.No. 063/740/2019
 O.A.No. 063/741/2019
 O.A.No. 063/745/2019
 O.A.No. 063/746/2019
 O.A.No. 063/748/2019

(III) OA No. 063/745/2019

Smt. Asha w/o Shri Bhupender Singh R/o Laal Kothi Phagli, aged 56 years (Group D), presently posted as MTS (Safai Karamchari), Labour Bureau, Shimla-171 004.

.....Applicant

BY: **SH. M.L. SHARMA**

VERSUS

1. Union of India through the Secretary (Labour & Employment to the Government of India, Shram Shakti Bhawan, Rafi Marg, New Delhi-110 001.
2. The Director General, Labour Bureau, SCO No. 28-31, Sector 17-A, Chandigarh-160 017.

.....Respondents

(IV) OA No. 063/746/2019

Smt. Lata Devi, d/o Shri Shyam Lal R/o House No. 102, Annandale, Shimla-3 (Group-D), age 34 years, presently posted as MTS (Receptionist), Labour Bureau, Shimla-171 004.

.....Applicant

BY: **SH. M.L. SHARMA**

VERSUS

1. Union of India through the Secretary (Labour & Employment to the Government of India, Shram Shakti Bhawan, Rafi Marg, New Delhi-110 001.
2. The Director General, Labour Bureau, SCO No. 28-31, Sector 17-A, Chandigarh-160 017.

.....Respondents

(V) OA No. 063/748/2019

Khem Chand s/o Late Shri Reva Das R/o Praghaina, PO Karyali, Tehsil Sunni, District Shimla, presently posted as MTS (Peon), Labour Bureau, Shimla, aged 40 years (Group D)

.....Applicant

BY: **SH. M.L. SHARMA**

O.A.No. 063/740/2019
 O.A.No. 063/741/2019
 O.A.No. 063/745/2019
 O.A.No. 063/746/2019
 O.A.No. 063/748/2019

VERSUS

1. Union of India through the Secretary (Labour & Employment to the Government of India, Shram Shakti Bhawan, Rafi Marg, New Delhi-110 001.
2. The Director General, Labour Bureau, SCO No. 28-31, Sector 17-A, Chandigarh-160 017.

.....Respondents

ORDER (ORAL)

MR. SANJEEV KAUSHIK, MEMBER(J):-

1. This order will dispose of above captioned five OAs as the relief claimed is identical.

2. Heard Sh. M.L. Sharma, who submitted that the applicants are working with the respondent department on part time basis since 1988 and are surviving on the meager remuneration. Thus, he submitted that since the applicants are continuing with the respondent department for a long period, therefore, in terms of Directive Principles of State Policy as enshrined in Constitution of India, the respondent State is under obligation to frame a policy so that their regularization can be considered.

3. Learned counsel very fairly submitted that though representations have been filed by the applicants on the subject, but the same have not yet been replied to, and as such, he made a statement at the bar that applicants would be satisfied if they are given a chance to file fresh representations citing provision of law on the subject and thereafter, the respondents be directed to consider their cases for regularization of their services as per law.

4. Issue notice.

O.A.No. 063/740/2019
O.A.No. 063/741/2019
O.A.No. 063/745/2019
O.A.No. 063/746/2019
O.A.No. 063/748/2019

5. At this stage, Sh. Anshul Bansal, Advocate, accepts notice on behalf of the respondents and did not oppose the disposal of OAs in the requested manner.

6. In the wake of the above, we dispose of the above captioned five OAs in limine with the observations that if the applicants submit afresh representations within fifteen days from today, then the respondents, whosoever is competent, will decide the same within two months thereafter. Needless to mention that the disposal of the OAs in the above manner be not taken as an expression of any opinion on the merits of the case. No costs.



(SANJEEV KAUSHIK)
MEMBER (J)

(A.K. BISHNOI)
MEMBER(A)

Dated: 19.07.2019

ND*