

(A)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.1531 OF 2003
WITH
O.A. NO.1632 OF 2003

New Delhi, this the 28th day of November 2003

HON'BLE SHRI R.K. UPADHYAYA, ADMINISTRATIVE MEMBER

OA 1631/2003

1. Shri Umesh
S/o Shri Ram Singh
R/o House No.168/C Village,
Nangla Battoo Pragati Nagar,
Meerut.
2. Shri Jaswant Singh
S/o Shri Navkha Ram,
R/o House No.261, Khanna Camp,
Meerut.
3. Shri Anil Kumar,
S/o Shri Malook Chand,
R/o House NO.192, Jaigiri Nagar,
Garh Road, Gali No.7,
Meerut.
4. Shri Ardeesh,
S/o Shri Jaraban Rai,
R/o Kothi No.261,
Khanna Camp,
Meerut.
5. Shri Jai Kishan,
S/o Shri Radhey Lal,
R/o Kaseru Khara Jhuggi,
Meerut.

.....Applicants

(By Advocate : Shri Surinder Singh)

Versus

1. Union of India,
Through,
The Defence Secretary,
Ministry of Defence,
South Block, New Delhi.
2. The Director General
Supplies and Transport,
Army Headquarters, Sena Bhawan,
New Delhi.
3. The Commending Officer,
No-40, ASC Supply Depot,
Meerut Cantt.

.....Respondents

(By Advocate : Shri Rajinder Nischal)

Chandigarh



OA No.1632/2003

Sant Ram, aged about years,
S/o Shri Mahadev Prasad,
R/o Kothi No.261,
Khanna Camp (Meerut).

.....Applicant

(By Advocate : Shri Surinder Singh)

Versus

1. Union of India through:
The Defence Secretary,
Ministry of Defence,
South Block, New Delhi.
2. The Director General
Supplies and Transport,
Army Headquarters, Sena Bhawan,
New Delhi.
3. The Commanding Officer,
No-40, ASC Supply Depot,
Meerut Cantt.

.....Respondents

(By Advocate : Shri Rajinder Nischal)

ORDER (ORAL)

Both these Original Applications are disposed of by a common order as issue involved is similar.

2. In OA 1631/2003, there are five applicants, who are claiming to be accommodated on vacant posts of Chowkidar.

3. Similarly, in OA NO.1632/2003, the applicant is claiming similar relief of being regularised as Chowkidar. According to the applicant - Shri Sant Ram (OA NO.1632/2003), he has put in 13 years service as casual labourer and more than a decade has passed since the conferment of temporary status. In the case

San Ram



of Shri Umesh and four others (OA 1531/2003), it is stated that applicants No.1, 2, 3 and 5 have been working since 1984 and applicant No.4 - Shri Ardesb joined in March, 1992. All of them are stated to have been granted temporary status. Therefore, they should have been regularised against the vacancies available in Group 'D' post.

4. In the reply filed, the respondents have stated that presently, there are six vacancies of Chowkidar available and respondent no.3 has already approached to respondent no.2 for releasing of six available vacancies. Learned counsel of the respondents fairly stated that if there are vacancies and if the applicants are eligible as per the rules, they will be considered against the vacancies available. However, he pointed out that in case Shri Sant Ram (OA No.1632/2003), it appears that educational qualification stated by him requires further verification as per rules.

5. After hearing the learned counsel of the parties and after perusal of the records available, these Original Applications are disposed of with a direction to the respondents No.2 and 3 to consider the case of the applicants in both OAs in accordance with the existing rules. If the applicants are eligible, they should be given regular appointment against Group 'D' posts of Chowkidar. Suitable orders

(4)



in this regard should be passed within a period of two months from the date of receipt of a copy of this order.

5. With the direction in the preceding paragraph, these Original Applications, being OA NO.1631/2003 and OA 1632/2003 are disposed of without any order as to costs.

(R.K. UPADHYAYA)
ADMINISTRATIVE MEMBER

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