

3

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.958/2002

Thursday, this the 11th day of April, 2002

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri S.A.T. Rizvi, Member (A)

Shri Jayant Kumar Vohra
working as Lower Division Clerk
Department of Fertilisers
Ministry of Chemicals & Fertilisers
Govt. of India
2nd Floor Shastri Bhawan
Dr. Rajendra Prasad Road
New Delhi

..Applicant

(By Advocate: Shri S.K. Anand)

Versus

Union of India through

1. The Secretary to the Govt. of India
Department of Fertilisers
Ministry of Chemicals & Fertilisers
Govt. of India
2nd Floor Shastri Bhawan
Dr. Rajendra Prasad Road
New Delhi
2. The Secretary to the Govt. of India
Dept. of Personnel & Training
M/o Personnel, Public Grievances & Pensions
3rd Floor, Lok Nayak Bhawan,
Khan Market
New Delhi-3
3. The Under Secretary to the Govt. of India
Department of Fertilisers
Ministry of Chemicals & Fertilisers
Govt. of India
2nd Floor Shastri Bhawan
Dr. Rajendra Prasad Road
New Delhi

..Respondents

O.R.D.E.R (ORAL)

Shri Justice Ashok Agarwal:

Applicant in the instant OA was initially appointed as a Messenger (group 'D' post) in the pay scale of Rs.750-940/- on 6.7.1982 in the office of Fertiliser Industries Co-ordination Committee in the Ministry of Chemicals & Fertilisers. On 19.8.1987, he



6

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was appointed in the very same office as an LDC (group "D" post) on ad hoc basis in the pay scale of Rs.950-1500/-. On 6.12.1989, he applied for regularisation in the post of LDC. Apprehending reversion, he instituted OA-1458/1991 seeking directions for maintaining status quo and for regularisation as an LDC. By an order passed on 13.8.1992, the aforesaid OA was allowed and directions were issued for his regularisation in consultation with the Staff Selection Commission. In utter disregard to the aforesaid directions, respondents, by an order passed on 19.1.1995, reverted the applicant to the post of Peon. Applicant, in the circumstances, filed a Contempt Petition, being CP-55/96. By an order passed on 14.3.1996, aforesaid Contempt Petition was disposed of by granting liberty to the applicant to agitate his grievance through an OA. On 19.3.1996, applicant made a representation to the respondents against his reversion and denial of regularisation as an LDC. Aforesaid representation was rejected by the respondents by an order passed on 23.4.1996. Being aggrieved, he instituted OA-1681/96 which was allowed by an order passed on 3.5.2000 with a direction to the respondents to reinstate the applicant as ad hoc LDC within three weeks and for regularising his services within three months. By representation of 16.5.2000, applicant called upon the respondents to abide by the aforesaid directions, to reinstate him as ad hoc LDC and thereafter regularise his services. By an order passed on 24.5.2000, applicant was reinstated as ad hoc LDC. By his reminder of 5.6.2000, he called upon the respondents for his early regularisation. By an order ..,

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5

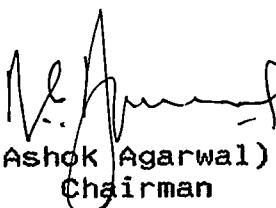
(3)

ultimately passed on 22.3.2001, applicant's services were regularised as LDC w.e.f. 16.11.2000 and his name was placed at the bottom of the seniority list. By his representations of 3.5.2001 and 21.9.2001, applicant drew attention of the respondents to the directions issued by the Tribunal in OA-1458/1991 and claimed early regularisation w.e.f. 13.9.1989 when applicant had passed his typing test thereby making him eligible for the post of LDC. No decision thereon has so far been given by the respondents.

2. In the circumstances, we find that interest of justice will be duly met by disposing of the present OA at this stage itself even without issue of notices with a direction to the respondents to pass a detailed, reasoned and speaking order on the aforesaid representations having regard to the aforeslated facts as also the directions issued on 23.6.1991 in OA-1458/1991. This be done expeditiously and within a period of six weeks from the date of receipt of a copy of this order.

3. Present OA is disposed of in the aforeslated terms.


(S.A.T. Rizvi)
Member (A)


(Ashok Agarwal)
Chairman

/sunil/