

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/478/2014

HYDERABAD, this the 20th day of January, 2020

Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member



Y. Ramachandra,
S/o. Changaiah,
Aged about 48 years,
Occ: Casual Mazdoor,
O/o. the Addl. G.M. (Plants) Section,
GMTD, BSNL ó Tirupathi.

... Applicant

(By advocate: Mr. K. Phaniraju)

Vs

1. The Union of India rep. by
The Chairman & Managing Director,
Bharat Sanchar Nigam Ltd.,
Harishchandra Mother Lane,
Janapath, New Delhi ó 110 001.
2. The Chief General Manager, Telecom,
A.P. Circle, BSNL,
Door Sanchar Bhavan,
Hyderabad ó I.
3. The General Manager,
Telecom District,
BSNL, Tirupati.
4. Additional General Manager (Planning),
GMTD, BSNL,
Tirupathi.

... Respondents

(By advocate: Mrs. B. Geeta, SC for BSNL)

ORDER (ORAL)

Hon'ble Mr. Ashish Kalia, Judl. Member



The applicant has approached this Tribunal for seeking regularisation.

2. The applicant is working on contingent basis with the respondents since 01.01.1984 and he had earlier approached this Tribunal by filing O.A. No.845/1998 whereby this Tribunal directed the respondents to consider and dispose of the case of the applicant for grant of temporary status. But till date, his case has not been considered.

3. Notices were issued and the respondents put up appearance through counsel, who apprised this Tribunal that the applicant has not completed 240 days of service in a particular year and that is why he has not been considered under the scheme.

4. Heard Sri K. Phaniraju, learned counsel for the applicant and Smt. B. Geetha, learned Standing Counsel for the respondents at length.

5. We are of this view that though the applicant is working on contingent basis but it has exhausted more than 10 years. The Hon'ble Apex Court's decision in **Uma Devi's** case { (2006) 4 SCC 1 } referred to by the learned counsel for the applicant comes into play but the only rider is that there has to be one sanctioned post, which is not there, according to the respondents. The applicant has been working for long time on contingent basis itself denotes that there is work requirement for which, the applicant is engaged.

6. In view of the above, we are of the view that the ends of justice would be met if the applicant would be considered and gets regularisation of his services in terms of **Uma Devi's** case, whereby the Honøble Supreme Court clearly held that a person who worked for 10 years, can be given one time waiver for regularisation.

7. With the above observation, the O.A. is disposed of. No order as to costs.

(B.V. SUDHAKAR)
ADMN. MEMBER

(ASHISH KALIA)
JUDL. MEMBER

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