

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA NO.:3463/2001

New Delhi this the 2nd day of January, 2002.

Hon'ble Shri M.P. Singh, Member(A)

Hariday Ram, S/o Shri Ram Naval
C/o The Manager, Govtt. of India Press
Press Canteen, Ring Road, Mayapuri
New Delhi. ...Applicant.
(By advocate: Shri U.Srivastava)

Versus

Union of India through
1. The Secretary Ministry of Urban Development
Government of India, Nirman Bhawan
New Delhi.
2. The Manager
Govt of India Press
Ring Road, Mayapuri
New Delhi.
3. The Secretary (Canteen)
Govt. of India Press
Ring Road,
New Delhi. ...Respondents.

O R D E R(Oral)

By Shri M.P. Singh, Member(A)

By filing this OA under Section 19 of the A.T.Act, 1985, the applicant has sought directions to the respondents to consider him for regularisation against the vacant post in terms of Annexure A/10 with all consequential benefits.

2. The applicant was initially engaged as a helper on casual basis in the year 1974 and was discharged from service in 1976. He was reengaged by the respondents vide order 6th February, 1986. Since then the applicant has been working with the respondents.

3. Earlier, applicant had filed OA 1537/98 and sought





directions to regularise his services with all consequential benefits and also to grant the benefits of the O.M. dated 29th January, 1992. That OA was disposed of by the Tribunal vide order dated 2nd February, 1999 with the following directions:-

"6. In the conspectus of the above discussion, I partly allow the O.A. with the direction to the respondents to consider the case of the applicant for regularisation as a government servant in accordance with the orders dated 11.10.1991 read with O.M. dated 11.1.1992. The regularisation will only take effect from the date that the applicant can be accommodated within the sanctioned strength of 9 employees on the basis of his seniority with reference to his admitted date of engagement w.e.f. 6.2.1986. The applicant will, however, be entitled to difference of salary enhanced from the date not earlier than one year of filing this O.A. i.e. 10.8.1998."

4. Thereafter, the applicant filed CP 342/99 in OA No.1537/98 and the same was rejected vide order dated 26th November, 1999. Subsequently, the applicant filed MA 406/2000 in OA 1537/98 seeking a direction to the respondents to consider his case for regularisation at Faridabad, Government Press Canteen against vacant post of Tea Maker with all consequential benefits. That MA was also dismissed by the Tribunal vide order dated 29.9.2000. The applicant has now filed this present OA seeking the same direction for regularisation his services since new vacancies have become available in the Department.

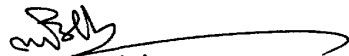
5. From the above facts, it is observed that the applicant had filed OA 1537/98 and also sought the same relief of regularisation. The matter was disposed of by





the Tribunal's vide order dated 2nd February, 1999. The Contempt Petition filed by the applicant was also dismissed. Thereafter he filed MA 406/2000 and again sought regularisation. This MA was also dismissed. Thus the relief claimed by the applicant in the present OA has already been adjudicated twice and cannot be further adjudicated. The OA is, therefore, devoid of merit and is accordingly dismissed.

6. Since the applicant has been filing applications one after another seeking the same relief, it amounts to misuse of legal process. In this view of the matter, I impose a cost of Rs.300/- on the applicant which will be paid by him to the CAT Bar Library within a period of four weeks from the date of receipt of a copy of this order. The Registry is directed to send a copy of this order alongwith a copy of this OA to the respondents,


(M.P. Singh)
Member(A)

/kd/