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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-149/99

New Delhi this the 30th day of January, 2001.

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)
Hon'ble Dr. A. Vedavalli, Member(J)

Smt. Saroj Kaushik,
W/o Sh. Mohinder Singh Kaushik,
C/o Sh. S.M. Garg, Advocate,
113-C, DDA LIG Flats, Motia Khan,
Jhandewalan, New Delhi-55. Applicant

(through Sh. S.M. Garg, Advocate)

Versus

1. CPWD through
its Director General (Works),
Nirman Bhawan,
New Delhi-1.
2. The Executive Engineer,
Parliament Works Division II,
CPWD, Parliament House,
New Delhi. Respondents

(through Sh. R.P. Aggarwal, Advocate)

ORDER (ORAL)

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)

Applicant seeks a direction to regularise her services as Clerk as directed by the Tribunal in its order dated 05.05.93 in OA-712/91 and 2183/89 with all consequential benefits.

2. We have heard applicant's counsel Sh. S.M. Garg and respondents' counsel Sh. R.P. Aggarwal.

3. Applicant who commenced service as a daily wager on muster roll on 19.10.81 and was subsequently regularised as Beldar on 03.05.91, claims that respondents have been taking the work of an Enquiry

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D Clerk from her since 19.10.81, and is continuing as such till date. In this connection, copies of certain documents placed at Annexure-II have been filed to support her contentions.

4. Respondents deny that applicant has been working continuously as Enquiry Clerk/Typist since 1981 and state that it is only occasionally that work of Enquiry Clerk/Typist has been taken from her.

5. Insofar as applicant's prayer for salary and allowances of the post of Enquiry Clerk for the period she has actually discharged the duties of that post are concerned, we call upon respondents to appoint a Senior and Reasonable officer to examine the relevant records, and after giving applicant a reasonable opportunity of being heard in person, during which she may produce such materials as she has in her favour, determine the exact period of service put in by her as an Enquiry Clerk, and for that period during which she has discharged duties and responsibilities of an Enquiry Clerk, pay her salary and allowances admissible to the aforesaid post.

6. Applicant, by virtue of her assertion ~~states~~ that she has discharged the duties and responsibilities of the post of Enquiry Clerk since 1981 also seeks regularisation against that post. Respondents are called upon to consider this claim of

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applicant in accordance with the rules and instructions on the subject under intimation to her.

7. The O.A. is disposed of in terms of the aforesaid directions, which should be implemented as expeditiously as possible and preferably within four months from the date of receipt of a copy of this order.

No costs.

A. Vedavalli
(Dr. A. Vedavalli)
Member(J)

Adige
(S.R. Adige)
Vice-Chairman(A)

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