

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 1766/1999

New Delhi, this the 8th day of December, 2000
Hon'ble Mr. Justice V.Rajagopala Reddy, VC (J)

In the matter of :-

Sh. Raj Kumar
S/o Ajab Singh
B-98, Gali No.2, Shashatpur
Delhi - 94.

...Applicants.

(By Advocate : Sh. D.R.Gupta)

V E R S U S

- 1) The Director of Education,
Govt. of NCT of Delhi
Old Sectt., Alipur Road,
Delhi.
- 2) The Dy. Director of Education (Sports)
Chattarsal Stadium,
Model Town, Delhi.

...Respondents

(By Advocate : Sh. Ram Kanwar)

O R D E R (ORAL)

Justice V.Rajagopala Reddy, VC (J)


Heard the counsel for the applicant and the
respondents.

The applicant, has been working since May 1988 till he was removed in March 1999. He filed the OA seeking temporary status. It is his case that had worked for about 262 days and hence he is entitled for temporary status. He also submits that keeping his juniors in service, he was removed from service.

3. Learned counsel for the respondents, however, submits that the OM dated 10-9-93 is not applicable, as he has not worked for 240 days in a financial year.

4. The scheme dated 10-9-93 postulates that a casual employee who has completed 206 days in a year should be granted temporary status and once temporary status was granted other benefits should follow including regularisation against a regular group 'D' post. The applicant had worked for 262 days within a period of 12 months. The contention that he should have worked 242 days in a financial year and two financial year consequently is not correct. In Veer Pal & Ors. Vs. Union of India, ATJ 1996 (2) 129 it was held that one need to work 242 days in a period of 12 months. The present scheme also does not prescribe the completion of 242 days, but it is only 206 days in a year.

5. Hence the OA partly succeeds and the respondents are directed to consider the case of the applicant for granting temporary status within a period of 60 days from the receipt of the copy of this order and for granting all other benefits of regularisation also as and when the vacancies arise.


(V. Rajagopala Reddy)
Vice-Chairman (J)

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