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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

O. A. No. 505/99

New Delhi, this the 8th day of March, 1999

HON'BLE MR. JUSTICE V. RAJAGOPALA REDDY, VICE CHAIRMAN(J)
HON'BLE SHRI N. SAHU, MEMBER(A)

Shri Surinder Singh, aged about 34 years
S/o Shri Gijraj Singh,
R/o 446/22, Durga Colony,
Rohtak (Haryana)

.... Applicant

(By Advocate: Shri Surinder Singh)

Versus

1. The Superintending Engineer (Elect)
C.C.W., All India Radio,
5th Floor, Soochna Bhawan,
Lodhi Complex, New Delhi-110003.

2. The Executive Engineer (Elect),
C.C.W., All India Radio,
Sector 42-A, Chandigarh. Respondents

O R D E R (ORAL)

By Reddy, J. -

Heard the learned counsel for the applicant. The sole grievance of the applicant is that his continuous service for a period of seven years has not been given credit to in the impugned order passed on 14/22.7.98. Learned counsel for the applicant submits that though the services of the applicant have been regularised in pursuance of the order passed by this Bench in the earlier O.A. his continuous service for a period of seven years has not been given credit to, as directed by the Tribunal in the said order.

2. In the O.A. filed by the applicant in 1995, the grievance of the applicant was that his services had not

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been regularised and he was not given benefit of the continuous service of seven years. While disposing of that O.A., the Bench has given the directions which are as under:-

"Under the circumstance, having regard to the rulings cited above, we direct the respondents to consider the applicant's case for regularisation in his turn, sympathetically, and in accordance with rules, not losing sight of the 7 years continuous satisfactory service put in by him."

3. We do not find from the above directions that there is any clear direction against the respondents to give applicant the benefit of seven years continuous service. The Tribunal has only directed to consider the applicant's case for regularisation and to consider giving the benefit of seven years continuous service to the applicant. After considering the above directions, the respondents passed the impugned order. While regularising the services of the applicant, the respondents however, have not chosen to give him the benefit of seven years continuous service. The applicant, therefore, comes forward again in this O.A. seeking for the same relief which he sought for in the earlier O.A. This grievance has been considered by the Tribunal in the earlier O.A. and the order as stated above was already passed. We cannot once again go into the same grievance and pass a different order. In fact, the judgement in the earlier O.A. operates as resjudicata. 4. In view of the above, this O.A. is liable to be dismissed at the admission stage and we order accordingly.

M. SAHU
(M. SAHU)
MEMBER(A)

V. RAJAGOPALA REDDY
(V. RAJAGOPALA REDDY)
VICE CHAIRMAN(J)