

Central Administrative Tribunal
Principal Bench

O.A.No.990/98
M.A.No.2140/98

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this the 3rd day of February, 1999

Shri Tejpal Singh
age 30 years
s/o Shri Balraj Singh
Vill: Neelwal, PO: Tikrikala
New Delhi - 110 041.

Applicant

(By Shri N.C.Chaturvedi, Advocate)

Vs.

1. Union of India through
The Secretary
Ministry of Defence
New Delhi.

2. Chief of the Air Staff
Air Headquarters
Vayu Bhawan
New Delhi - 110 011.

3. Commanding Officer
AF Stn. Banicamp
Najafgarh
New Delhi - 110 043.

... Respondents

(By Shri R.V.Sinha, Advocate)

O R D E R (Oral)

The applicant claims that he had been working as Seasonal Anti Malaria Lascars with Respondent No.3 and sought regular appointment in terms of the Scheme, Annexure A-1 dated 21.8.1997. Under this Scheme, Anti Malaria Lascars who had completed a total of 650 days in the last consecutive four years in offices observing six days a week and 600 days in offices observing five days a week would be eligible for regularisation against a regular Group 'D' post. The applicant had also sought an interim direction to the respondents to engage him for the 1998 season. Later an MA 2140/98 was also filed seeking a direction to the respondents to pay him the salary as the applicant claims that he had been working

On

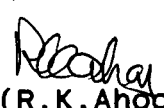
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with the respondents for the period 23.7.1998 to 15.9.1998. The respondents in the reply while admitting that the applicant had worked with them for the stipulated period for regularisation ^{stated that he} was nevertheless ineligible because he had become over age.

I have heard the counsel. The learned counsel for the respondents on instructions received from Sqn. Ldr. B.C.Upreti, Departmental Representative, who is present in Court, submitted that the applicant has in fact now been regularly appointed in Group 'D' post w.e.f. 13.11.1998. The learned counsel for the applicant submits that he is aware of this position. In view of the fact that the main relief sought for by the applicant has already been granted by the respondents themselves, the present application has become infructuous.

3. As regards MA 2140/98 regarding the payment of salary, the respondents have denied that the applicant had worked with them during this period. In the main OA the relief sought for was for appointment against a regular Group 'D' post. In view of this fact, I do not consider it necessary to go into this dispute as to whether the applicant had actually worked during this period or not. The OA is disposed of as infructuous. No costs.


(R.K. Ahooja)
Member (A)

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