

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI.

O.A.No.2224/94

New Delhi: this the 8<sup>th</sup> April, 1996. (3)

HON'BLE MR.S.R.ADIGE , MEMBER(A),  
HON'BLE DR.A.VEDAVALLI, MEMBER(J).

Shri Daya Chand (Raghav),  
S/o Shri Amolak Chand,  
aged about 25 years,  
R/o A-19,  
Ganesh Nagar,  
Pandav Nagar Complex, Delhi .....Applicant.

By Advocate Shri S.S.Tewari.

Versus

1. Govt. of NCT of Delhi,  
through Chief Secretary, Govt. of NCT  
of Delhi, Old Secretariate,  
S.P.Mukerjee Marg,  
Delhi.
2. Chief Engineer(Irrigation & Flood),  
Govt. of NCT, Delhi,  
4th Floor, ISBT, Building,  
Kashmiri Gate,  
Delhi.
3. Asstt. Engineer(P) Panchayat,  
Sub-Division, Minor Irrigation Division,  
Govt. of NCT of Delhi,  
Khyber Pass, Delhi .....Respondents.

By Advocate Shri Vijay Pandita.

JUDGMENT

By Hon'ble Mr. S.R.Adige. Member(A).

We have heard Shri S.S.Tewari for the applicant  
and Shri Vijay Pandita for the respondents.

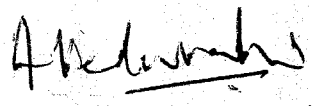
2. The applicant has a legally enforceable  
right for reinstatement as Work Assistant w.e.f.  
31.8.94 and salary and allowances as Work Assistant  
from 1.6.93 to 31.8.94 only if it is established  
that he was appointed as Work Assistant. The applicant  
has not filed any appointment letter, and from the

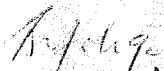
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attendance certificate dated 6.5.94 at page 18 of the OA, it does appear that the applicant was engaged only as an Apprentice. This fact is also born out from the documents filed by the respondents in their reply. The applicant bases his case on some other attendance certificates issued by the Assistant Engineer(Panchayat) Govt. of NCT of Delhi, which describe him as Work Assistant but unless he can furnish any document to show that he was indeed appointed as a Work Assistant, we do not find it possible to grant the relief prayed for by the applicant.

3. Under the circumstance, the OA fails and is dismissed. No costs.

  
( DR. A. VEDAVALLI )  
MEMBER (J)

  
( S. R. ADIGE )  
MEMBER (A).

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