

Central Administrative Tribunal  
Principal Bench: New Delhi

O.A. No. 294/1994

New Delhi this the 13th Day of September, 1994

Hon'ble Member Shri J.P. Sharma, Member (J)

Hon'ble Member Shri B.K. Singh, Member (A)

Shri Chathu Mahato,  
Son of Shri Nannak Mahato.  
R/o J-306 Seva Nagar,  
New Delhi-110 003.

.... Applicant

(By Advocate: Shri N. Amresh)

Vs

1. The Union of India through  
The Secretary to the Government  
of India  
Dept. of Personnel & Training,  
North Block,  
New Delhi-110 001.
2. The Staff Selection Commission,  
Through its Chairman,  
Block No. 12, CGO Complex,  
Lodi Road, New Delhi-110 003 ... Respondents

(By Advocate: Shri N.S. Mehta)

O R D E R (Oral)

Hon'ble Shri J.P. Sharma, Member (J)

The applicant was initially engaged on casual basis in Staff Selection Commission in the year 1986. Thereafter, he was discharged having put in a total number of 17 days of working. The applicant again was engaged in the year 1989 and according to the applicant he has worked for 160 days while the respondents denied this averment stated that he has worked in that year only for 72 days. In the year 1990, the applicant says that he worked for 25 days but the respondents in their reply take this figure to 32 days and also categorically denied re-engagement of the applicant thereafter. However, the case of the applicant is that in the year

1992 from 6.3.1992 to 5.4.1992 he was also engaged as a loader and to substantiate this fact he has filed an annexure to the Rejoinder A-V.

2. The relief claimed by the applicant in this application that the applicant be regularised in service as he has worked for more than 206/240 days of working with the respondents.

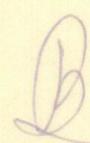
3. On notice the respondents contested this application stating that the applicant has no case and has not worked according to the scheme circulated by the Staff Selection Commission for re-engaging/regularizing the casual worker who has worked for 206/240 days in a year.

4. The learned counsel for the applicant fairly conceded that the case of the applicant is not covered under that scheme and that the applicant has not worked in any of the year for the required number of 206/240 days. As such, the applicant has no case for regularization. The learned counsel for the applicant has also pointed out that even those who have put in even lesser number of working days with the respondents and that the persons who were on the rolls of the Staff Selection Commission on 11.2.1992 have been considered for re-engagement/regularization. The contention of the learned counsel is that he was issued with a 'pass' for the period from 7.2.1992 to 6.3.1992 and this 'pass' itself be taken as an authentic proof of the working of the applicant in the Staff Selection Commission. We

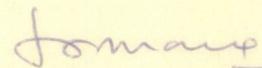
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cannot interpret this 'pass' to that extent and the arguments of the learned counsel is not substantiated by any reliable convincing evidence.

5. In view of the conspectus of facts and circumstances of the case and after hearing the learned counsel for the respondents, Shri N.S. Mehta, we find no merit in this application and the same is dismissed leaving the parties to bear their own costs.



(B.K. Singh)  
Member (A)



(J.P. Sharma)  
Member (J)

\*Mittal\*