

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH
NEW DELHI.

Dated: this the 16th May, 1997.

HON'BLE MR.S.R.A DIGE, MEMBER(A)

HON'BLE DR.A.VEDAVALLI, MEMBER(J)

(A)

1). O.A.No. 1674/94

1. M.L.Chawla,
2. H.S.Negi
3. K.C.Godia
4. Ms. Swaranjit Kaur
5. B.S.Rawat.
6. Ms. N.K.Rajput
7. MS.Harjeet Kaur.
8. Ms. Jharna Bose.
9. Ms. Chandra Dwaniy
10. Subodh Agarwal
11. S.C.Bhatt.
12. Ms.Padma Davi.
13. Ms. Rekha Johri
14. Ms. Saroj Sharma.

All working under Respondent No.2

....Applicants.

Versus

UNION OF INDIA through

1. Secretary,
Department of Supply, Niman
Bhawan,
New Delhi.
2. The Director,
Supply and Disposal,
Parliament Street,
New Delhi

....Respondents.

2) O.A.No. 1611/94

1. J.K.Jain
2. Monojit Banerjee.
3. Shri Gopal.
4. M.L.Kohli.
5. Sushil Kumar.
6. K.C.Sharma.
7. S.K.Nayyar.
8. M.N.Bakshi.
9. Rajiv Batra.
10. H.R.Malhotra.
11. Prit Pal Singh.
12. Ishwar Singh.
13. Pradeep Kumar.
14. Smt. Rajinder Kaur.
15. Kamlesh Bakshi
16. K.C.Jain.
17. S.P.Chandna

All working under Respondent No.2.

....Applicants.

Versus

UNION OF INDIA through

Secretary,
Department of Supply,
Nirman Bhawan,
New Delhi.

2. Director General,
Supply and Disposal,
Parliament Street,
New Delhi

..... Respondents.

By Advocate: Shri T. C. Agarwal, for the applicants.

Shri N. S. Mehta for the respondents.

ORDER(O.RAL)

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

As both these OAs involve common questions of law and fact, they are being disposed of by this common judgment.

2. Applicants in both OAs seek regularisation from the dates of their adhoc promotions as Economic Investigators and Computer.

3. It is not denied that the applicants have been working on adhoc basis continuously against posts of Economic Investigators and Computer for a number of years.

4. ~~Applicants' counsel~~ has averred that persons holding posts of Economic Investigators and Computer on substantive basis but working on higher posts continuously on adhoc basis for a number of years, have as a result of various judicial pronouncements, been subsequently regularised against those higher posts, and have thereby released for regularisation, those lower posts which they held on substantive basis.

5. In this connection, applicants' counsel has invited our attention to decisions given in

(9)

certain OAs as a result of which persons who joined the department after some of the applicants, and then were working against posts on an adhoc basis continuously for a number of years, have been regularised from the dates of their adhoc appointment and have thus become senior to those applicants.

6. In the light of submissions made by both counsel, we dispose of these OAs by directing respondents to consider

- i) regularisation of applicants against posts of Economic Investigators/Computers from relevant dates by holding OPC in accordance with rules, instructions and judicial pronouncements and
- ii) Extension of such consequential benefits as have been given to their counterparts as admissible under law.

7. These directions should be implemented within 3 months from the date of receipt of a copy of this judgment.

8. Let a copy of this judgment be placed on the file of both OAs.

A. Vedavalli
(DR. A. VEDA VALLI)
MEMBER(J).

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

/ug/

huk

Court Clerk
Central Administrative Tribunal
Delhi High Court
Faridkot House
Opposite, Sardar
Guru Nanak Dev University