

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. *1282/89 1989
T.A. No.

DATE OF DECISION 4.7.89

Ganga Ram

Petitioner

Shri V.P. Sharma

Advocate for the Petitioner(s)

Versus

Union of India & rs

Respondent

none

Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. P. Srinivasan, Member (A)

The Hon'ble Mr. T.S. Oberoi, Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. Whether it needs to be circulated to other Benches of the Tribunal? *No*

MGIPRRND-12 CAT/86-3-12-86-15,000

(T.S. OBEROI)
MEMBER (J)

P. Srinivasan
MEMBER (A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH
NEW DELHI. 61

REGN. No. 1282/89

Date of Decision:- 4.7.89.

Shri Ganga Ram

.... Applicant

Vs.

Union of India

.... Respondents.

CORAM:- Hon'ble Mr. P. Srinivasan, Member (A)
Hon'ble Mr. T.S. Oberoi, Member (J)

For the applicant

...

Shri V.P. Sharma, Advocate

(JUDGEMENT OF THE BENCH DELIVERED BY HON'BLE
MR. P. SRINIVASAN, MEMBER (A)).

This application has come up before us for admission today.

Shri V.P. Sharma, learned counsel for the applicant has been heard.

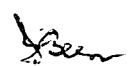
2. The prayer in the application is that two orders dated 16.3.89 and 28.2.89 purporting to transfer the applicant from the office of Respondent No. 2 namely the Under Secretary, Department of Civil Supplies, New Delhi to the office of Respondent No. 3 viz, the Registrar, National Consumer Disputes Redressal Commission, New Delhi, be quashed. On scrutiny of the application we find that neither of these orders has been attached; instead there is only one order appearing as Annexure A-1 dated 6.2.89 by which ad-hoc appointment of the applicant as chowkidar in the National Consumer Disputes Redressal Commission, New Delhi has been extended from 1.2.89 to 28.2.89. Shri Sharma informs us that the applicant is continuing in the same post in another department. He explains that the real grievance of the applicant is that even though he has been working on ad hoc basis from Dec. 1987 his case for regularisation in the post has not been taken up by the respondents. In response to an enquiry made by us, Shri Sharma fairly admitted that no representation had been made in this regard so far to the authorities.

3. In view of the above, this application, having been made for regularisation of the applicant in the post, as explained by Shri

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Shrama, is pre-mature because because the applicant has first to approach the authorities and only if they reject his claim would a cause of action arise for coming before this Tribunal. When this was explained to him, Shri Sharma stated that he would make a representation to the authorities but apprehended that since the applicant had come to this Tribunal, the authorities might be prejudiced ^{H and} against him/ terminate his services. We are sure that the authorities will not act on prejudice. We, therefore, reject this application at the stage of admission itself reserving liberty to the applicant to approach this Tribunal, if the decision of the authorities goes against him.



(T.S. OBEROI)
MEMBER (J)



(P. SRINIVASAN)
MEMBER (A)