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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

Regn.No. OA-1068/88

Date of decision: 04.05.1992

Shri Balbir Singh & 11 Others .... Applicants

Versus

Lt. Governor of Delhi .... Respondents  
and Others

For the Applicants .... Shri A.K. Tewari, Advocate

For the Respondents .... Shri B.R. Prashar, Advocate

CORAM:

The Hon'ble Mr. P.K. Kartha, Vice Chairman(J)

The Hon'ble Mr. B.N. Dhoundiyal, Administrative Member

1. Whether Reporters of local papers may be allowed to see the Judgment? *Ye*
2. To be referred to the Reporters or not? *Ab*

JUDGMENT

(of the Bench delivered by Hon'ble Mr. P.K. Kartha,  
Vice Chairman(J))

The applicants, who have worked as Farrier/Saees on daily-rated basis in the Office of the Commissioner of Police, Old Police Lines, Delhi, are aggrieved by their non-appointment on regular basis as Class IV employees and non-payment of the regular pay-scales to them.

2. The facts of the case are not disputed. Applicant the *✓*  
No. 1 has worked as Farrier from 3.6.1985 while others have

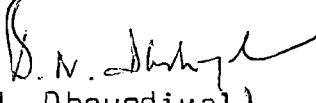
worked for periods ranging from June, 1983 to December, 1986. Admittedly, they have worked for more than 240 days though with technical breaks. They are looking after the horses in the stables of Old Police Lines in order to keep them fit for any Police action. Their request for regularising their services and for giving them regular pay-scales, has not been acceded to by the respondents.

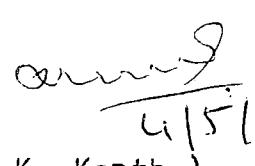
3. The respondents have stated in their counter-affidavit that they had taken up the matter with the Delhi Administration for creation of the requisite number of posts to regularise the applicants in Class IV posts.

4. We have considered the matter carefully. On 7.6.1988, when the application was admitted, an interim order was passed to the effect that the status quo shall be maintained provided the applicants had not already been relieved. In the instant case, the respondents under whom the applicants have worked, have not denied the fact that there is enough work to accommodate the applicants on regular basis. In fact, they had taken up the matter of creation of the requisite number of posts with the Delhi Administration. The respondents have also not stated that the work and conduct of the applicants were not up-to-the mark.

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5. After hearing both the sides, the application is disposed of with a direction to the respondents to accommodate the applicants as daily-rated Farrier/Saees so long as they need their services. The respondents should also expedite the decision on the creation of posts in Group 'D' category in order to regularise the applicants. Till the applicants are so regularised, the respondents shall not fill up any group 'D' post falling vacant in their Office and any such posts which have fallen vacant, without considering the suitability of the ~~for appointment~~ applicants against them on regular basis. The respondents should also give the necessary relaxation in age, qualification, etc., as the applicants have worked satisfactorily for several years under them. Till they are regularised, the applicants should be given the minimum pay at the rates approved by the Department of Personnel & Training for engagement of daily-rated employees. The application is disposed of accordingly. There will be no order as to costs.

  
(B.N. Dhoundiyal)  
Administrative Member

  
6/5/92  
(P.K. Kartha)  
Vice-Chairman (Judl.)