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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI.  
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D.A.No. 1084/90.

Dated: 25.8.1994.

Hon'ble Shri S.R. Adige, Member (A)

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Shri Umesh Rai,  
s/o Shri Yogeshwar Rai,  
Peon-cum-Watchman,  
Directorate of Sugar Cane Development,  
C.G.O Complex, Namla Nehru Nagar,  
Ghaziabad (U.P.).

.. Applicant.

(By Advocate Shri Jog Singh)

versus:

1. Director of Sugar Cane Development,  
C.G.O. Complex, Hapur Road Chungi,  
Ghaziabad (U.P.)

2. Union of India,  
through its Secretary,  
Ministry of Agriculture,  
Krishi Bhawan,  
New Delhi.

(By Advocate Shri P.H. Ramchandani)

ORDER (ORAL)

[Hon'ble Shri S.R. Adige, Member (A)]

In this application, Shri Umesh Rai, Peon-cum-Watchman, Directorate of Sugar Cane Development, Ministry of Agriculture has prayed for regularisation from the date of his initial appointment dated 10th November, 1988.

2. Shortly stated, the applicant was appointed as a daily wager on 10.11.1988 and continued in that capacity till 1.5.1989 on which date, he was appointed as peon on a temporary basis for a period of three months vide office order dated 1-2/5/89 (Annexure VA) and

thereafter, was continued in that capacity for a further period of 3 months from time to time.

3. Apprehending removal from service, the applicant appreached this Tribunal, who vide their order dated 8.6.1990, directed that the applicant's services should not be terminated as long as there were vacancies in Class IV categories and further that the applicant should not be replaced by a fresh recruit.

4. Shri Jog Singh, learned counsel for the applicant, states that the applicant is still continuing on the said post and this averment has not been denied by the respondents. Shri Jog Singh has further stated that there are, at present, two clear vacancies <sup>of Peon and</sup> in the office, and the applicant can easily be regularised against one of them.

5. In the light of the submissions made by the parties and the material available on record, we dispose of this application with a direction to the respondents to consider regularisation of the applicant against a vacant regular post of Peon or any other suitable Group 'D' post, subject to the applicant's

possessing the requisite qualification, by means of a detailed and speaking order, under intimation to the applicant, within 3 months from the date of receipt of a copy of this order. No costs.

*Lakshmi Suaminathan*  
(Lakshmi Suaminathan)  
Member (J)

*S. R. Adige*  
(S. R. Adige)  
Member (A)