

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH:
N.DELHI.

(15)

O.A. NO.2121/90.

DATE OF DECISION: 14.5.1993

Anand Saini.

.. Petitioner.

Versus

The Secretary,
Ministry of Agriculture
and Cooperation, New Delhi
and anr.

.. Respondents.

CORAM:

THE HON'BLE MR. JUSTICE S.K. DHAON, VICE CHAIRMAN(J).
THE HON'BLE MR. S.R. ADIGE, MEMBER(A).

For the Petitioner.

Shri K.L. Bhatia, Counsel.

For the Respondents.

Shri P.P. Khurana, Counsel.

JUDGEMENT (ORAL)

(By Hon'ble Mr. Justice S.K. Dhaon,
Vice Chairman(J))

The controversy in this case relates to regularisation of the services of the petitioner. According to the petitioner, a matter of similar nature (O.A. No.1059/87) had been disposed of finally by this Tribunal on 21.10.1987. In that O.A., the D.M.S. Employees Union was the petitioner. It appears that in the said O.A. a list of the members of the Union was furnished as per Annexure A-1 to the application. This Tribunal directed that those members who had put in 240 days service in a particular year should be considered for regularisation of their services. The petitioner asserts that in pursuance of the directions of the Tribunal a large number of members of the said Union were considered for regularisation and their services were regularised.

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However, the petitioner's case was not considered.

2. In the counter affidavit filed on behalf of the respondents, it is asserted that the petitioner had not completed 240 days' service within a period of 12 months. He ceased to be in service w.e.f. 27.7.1990.

3. Learned counsel appearing for the petitioner first asserted that in the aforementioned O.A. this tribunal recorded a finding that the petitioner had put in service for 240 days. There is no such finding. The Tribunal merely stated that those who had put in 240 days of service will be considered for regularisation. The petitioner states that, during the pendency of this application, he has completed 240 days of service. This statement also requires investigation because in the counter affidavit it is categorically stated that the petitioner ceased to be in service w.e.f. 27.7.1990.

4. The authority concerned shall examine the case of the petitioner and record a categorical finding that he had really completed 240 days' of service in a particular year and thereafter examine his case in the light of the directions of this Tribunal. It shall do so expeditiously.

5. With these directions, this O.A. is disposed of finally with no order as to costs.

Adibé
(S.R. ADIBÉ)
MEMBER (A)

S.K.D
(S.K. DHAON)
VICE CHAIRMAN (J)