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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI.

OA 2680/90

Date of Decison: 31.03.92

Shri Subash Dewadi	Applicant
Shri P.P. Khurana	Counsel for the Applicant
Vs.	
Union of India & Ors.	Respondents
Shri M.L. Verma	Counsel for the respondents

CORAM:

The Hon'ble Mr. P.K. Kartha, Vice Chairman(J)
The Hon'ble Mr. A.B. Gorthi, Member(A)

JUDGEMENT (Oral)

(of the Bench delivered by Hon'ble Mr. P.K. Kartha)

We have heard the learned counsel for both parties. The relief sought in this application is that the respondents be directed to regularise his services as Pump Operator w.e.f. the date of his initial appointment on 15.04.89 and that they be directed to pay to him full pay and allowances as prescribed for Pump Operator from the date of initial appointment.

2. Admittedly, the applicant was selected for appointment after holding a test and interview on 10.09.90. He was also medically examined and found fit. However, the respondents did not give him the offer of appointment in view of a Stay Order obtained by one Shri Ranjit Singh in OA.2123/90 on 12.10.90.

3. On 01.11.91, Shri Ranjit Singh, who was offered a post of Helper, moved a Miscellaneous Petition in this Tribunal praying that his



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application (OA No.2123/90) be dismissed as withdrawn, as he has been offered the post of Helper. Thereafter, on the same day, the respondents have regularised the services of the applicant as Pump Operator.

4. In view of the above, the main relief sought by the applicant has been granted by the respondents. ^a The other relief pertains to the payment of full pay and allowances from the date of initial appointment of the applicant as Pump Operator. The applicant was appointed on daily wages basis as Pump Operator on 15.04.89 on monthly consolidated amount of Rs.750/- ^a He was found fit for regular appointment and ^{he} reported for duty along with the medical certificate on 25.09.90 but he was not allowed to join on the regular post in view of the Stay Order passed by the Tribunal, mentioned above.

5. After hearing both sides, we feel that in the interest of justice, the applicant should be paid the wages of a regular Pump Operator from 25.09.90 to 01.11.91.

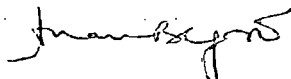
6. The respondents are, therefore, directed to pay the difference in the amount already paid to the applicant and the pay and allowances of a regular Pump Operator for the said period. They shall do so preferably within the period of three months from the date of receipt of this order.

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7.  It is further directed that the seniority of the applicant in the post of Pump Operator shall be reckoned from the date of his initial appointment as Pump Operator from 15.04.89.

8. The application is disposed of accordingly at the admission stage itself.

9. There will be no order as to costs.



(A.B. GORTHI)

MEMBER(A)



(P.K. KARTHA)

VICE CHAIRMAN(J)