

(29)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

RA No 33/95 IN  
OA No.1706/90  
MA No.302/95 &  
MA No.303/95

New Delhi this the 2nd Day of March, 1995.

Hon'ble Sh. N.V. Krishnan, Vice-Chairman (A)  
Hon'ble Dr. A. Vedavalli, Member (J)

1. The Secretary,  
Ministry of Railways,  
Railway Board,  
New Delhi.

2. The General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.

...Applicants

(By Advocate Sh. R.L. Dhawan)

Versus

Ms. Renu Sethi,  
D/o Sh. B.R. Sethi,  
Unit Catering Manager,  
Parliament House Annexe,  
New Delhi.

...Respondent

ORDER(ORAL)

Hon'ble Mr. N.V. Krishnan.

We have heard the learned counsel for the review applicants/respondent Railways. MA-302/95 has been filed for condonation of delay. MA-303/95 is filed for extending the time to implement the judgement. In the view that we are taking, the M.A. for condonation of delay is allowed.

2. One set of grounds urged to show that there are errors of-law apparent on the face of the order sought to be reviewed is that we committed an error in not following the judgement of the Supreme Court in Piara Singh's case (1992 (3) SLJ 34 (SC)) and Dr. Arundhati Ajit Pargaonkar Vs. State of Maharashtra & Ors.(SLJ 1994 (3) SC 87). It is held that an ad hoc appointed not sponsored by the Employment Exchange and who got entry through the

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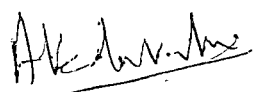
back door and was not eligible or qualified has no right to be regularised. The mere fact that such an irregular appointee has rendered some service does not confer any right for regularisation. The other set of grounds is that records are available to show that the applicant was not fit for regularisation.

3. In so far as the judgements of the Supreme Court are concerned there was no argument on this basis. Secondly, we have rendered our decision on the facts of the case brought to our notice and those judgements have no application.

4. In so far as records are concerned, we notice from para 10 of our order that the respondents were directed to produce various records to prove their contention and despite having been given sufficient time these records were not produced and, therefore, adverse inferences were drawn in respect of those matters. It is in this circumstance that the relief was granted to the applicants.


5. We find that there is no error apparent on the face of the judgement and accordingly R.A. is dismissed.

6. MA-303/95 is also dismissed.



(Dr. A. Vedavalli)  
Member(J)

\*Sanju\*

  
2/3/97

(N.V. Krishnan)  
Vice-Chairman(A)