

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

(22)

O.A. No. 2414/91

Date of decision 30-5-96

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

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

Shri Gopal Singh Kushwah
s/o Sh. Sitaram Singh Kushwah
r/o F/192, Arjun Nagar, New Delhi-110029

... Applicant

(None for the applicant)

Vs.

1. Union of India through its Secretary,
Ministry of Culture,
Ministry of Human Resources Development,
Shastri Bhavan, New Delhi.

2. Director General,
Archaeological Survey of India
Janpath, New Delhi.

3. Superintendent Archaeologist,
Archaeological Survey of India
Safdarjung Tomb, New Delhi.

... Respondents

(By advocate Shri Jog Singh)

ORDER (ORAL)

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

In this application, Shri Gopal Singh Kushwah has sought a direction to the respondents to pay forthwith the same salary as is applicable to an LDC ever since he was appointed as daily wage worker and direct the respondents to appoint the petitioner as LDC forthwith.

2. None appeared for the applicant, although we waited till 3.20PM. Shri Jog Singh appeared for the respondents, and was heard. This is a very old case and was listed for regular hearing today. Therefore, we are proceeding to dispose it of on the basis of the submissions made by Shri Jog Singh and material on record.

3. Shri Jog Singh has very fairly stated, ^{that a} although the applicant had been admittedly appointed as daily wage labourer from 2.11.1981 to 9.12.1985 and thereafter

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regularised as attendant w.e.f. 10.12.1985, the respondents have from time to time assigned the typing work to the applicant, as the applicant is fully proficient in the same and that being the position, the respondents would have no objection in paying the applicant wages admissible to an LDC (Typist) for the number of days actually put in by him as such.

4. However, in respect of the applicant's prayer for appointment as an LDC on regular basis, Shri Jog Singh states that none junior to the applicant has been appointed as an LDC, and if and when persons junior to the applicant are considered for appointment as LDC, the case of the applicant will also be considered in accordance with the existing rules and instructions on the subject.

5. We accordingly, dispose of this DA with a direction to the respondents to pay the applicant wages as admissible to an LDC(Typist) for the actual number of days, put in by him as such, on daily rate basis, within three months from the date of receipt of a copy of this order.

6. This DA stands disposed of. No costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)

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

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