

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

OA No. 2746/91 : Date of decision 24.7.92
Sh. Nav Rattan Singh : Applicant
Sh. Jog Singh : Counsel for the applicant

Versus

U.O.I. & Ors. : Respondents
Sh. P.H. Ramchandani : Counsel for the
respondents

CORAM

The Hon'ble Sh. P. K. Kartha, Vice Chairman (J)

The Hon'ble Sh. B.N. Dhoundiyal, Member (A)

1. Whether the Reporters of local papers may be allowed to see the Judgement ? *Yes*
2. To be referred to the Reporters or not ? *No*

JUDGEMENT

(Of the Bench delivered by Hon'ble Sh. B.N.
Dhoundiyal, Member (A)

This application has been filed by Shri Nav Rattan Singh under Section 19 of the Central Administrative Tribunals Act, 1985 for issuing directions to the respondents to regularise him from the date of his initial appointment to the Group 'D' post, with all consequential benefits. The applicant has been working as a Peon on daily wage basis in the Respondent's office for about 5 months. He apprehends that the respondents might discontinue his services so that he may not be entitled to the regularisation by completing 206 days of service in a year. Though he was working as a peon, the benefit enjoyed by regular peons like Earned Leave, free medical, Annual Bonus etc. were denied to him.

B.N.

(7)

2. The respondents have stated that the applicant was engaged purely for casual/seasonal/intermittent work such as shifting of furniture, waterman etc. He was engaged on 14.6.91 and his services were dispensed on 14.11.91 as his services were no longer required. Since, the applicant had not worked for 206 days or more for two consecutive calendar years, he is not entitled to be considered for regularisation under the relevant administrative instructions issued by the Deptt. of Personnel and Training. They have denied that he was doing the work as the regular peon.

3. In these circumstances, the only relief that can be given to the applicant is that the respondents shall consider engaging him as casual labourer, if any vacancy exists and in preference to persons with lesser length of service and outsiders. The application is disposed of accordingly.

The parties will bear their own costs.

B.N. Dhundiya/
(B.N. Dhundiya)
Member (A)

24/7/92
arun
(P. K. Kartha)
Vice Chairman (J)