

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI.

O.A.No.1593 of 1992

Date of Decision: 11.5.93.

Gaya Prasad .....Applicant.

Versus

Union of India & others .....Respondents.

CORAM:

Hon'ble Mr. Justice S.K. Dhaon, Vice Chairman.

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

For the applicant: Shri S.S. Tewari, Counsel.

For the respondents: Shri I.S. Gupta, Departmental  
representative.

JUDGMENT(ORAL)

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

On 3.7.92, the respondents were given six weeks' time to file a reply. No reply was filed. On 7.9.92, they were given four weeks' further time to file a reply but they failed to do so. On 14.12.92 four weeks' further time was given to file reply. Again on 19.4.93, the respondents were granted two weeks' time to file reply. No reply has been filed. We are not inclined to grant any further time even though Shri I.S. Gupta - the departmental representative requests for time.

2. In the absence of any counter affidavit, we are proceeding on the assumption that the averments made in the application are correct.

3. The averments are these. The applicant was employed as a Mazdoor with the respondents. His prayer is that the respondents may be directed to regularise his services as a Mazdoor as vacancies are existing.

4. The authority concerned shall consider the case of the applicant for regularisation of his service. While doing so, the authority concerned shall give preference to the applicant over persons junior

to him and freshers. If there is any vacancy, the applicant's services should normally be regularised if he is otherwise eligible. If the authority concerned comes to the conclusion that the applicant's services can not be regularised, it shall give reasons and communicate the same to the applicant within a period of three weeks from the date of passing of its order.

5. With these directions, this application is disposed of finally but without any order as to costs.

*S.R. Adige*  
(S.R. ADIGE)  
MEMBER (A)

*S.K. Dhaon*  
(S.K. DHAON)  
VICE CHAIRMAN (J)

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