

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH
NEW DELHI.

O.A.No.1834/1992

New Delhi: this the 7th day of August, 1997.

HON'BLE MR.S.R.ADIGE, MEMBER(A)

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER(J)

Shri K.D.Goswami,
S/o Shri Mange Ram,
Working as Sr. Market Intelligence Inspector
in the Directorate of Economics &

Statistics,
Ministry of Agriculture,
New Delhi Applicant.

(By Advocate: Shri T.C.Agarwal)

Varcus

Union of India through

1. Secretary,
Ministry of Agriculture,
Department of Agriculture & Cooperation,
Shastri Bhawan,
New Delhi - 110 001

2. The Director of Economics & Statistics,
Ministry of Agr. & Cooperation,
Shastri Bhavan,
New Delhi - 110 001 Respondents.

(By Advocate: Shri N.S.Mehta)

JUDGMENT

HON'BLE MR.S.R.ADIGE, MEMBER(A)

Applicant prays for his regularisation
as Sr. Marketing Intelligence Inspector from
the date of his continuous officiation as
such or from the date his immediate junior
was promoted, with consequential benefits.

2. Admittedly applicant, who was working
as Marketing Intelligence Inspector in the
Directorate of Economics & Statistics, Ministry
of Agriculture & Cooperation, New Delhi was
promoted as Sr. Marketing Intelligence Inspector
on purely temporary and adhoc basis w.e.f. 23.2.79

and was subsequently regularised w.e.f. 29.11.88.

3. In this connection, respondents file No.7(7)/92-Est(I)IES was shown to us. Notings at pages 38-39/N in that file make it clear that respondents themselves concede that Shri K.B.K. Jain & Ors (Research Investigators (Gr. I) which like Sr. M.I.I is also a feeder post for induction in ISS Gr. IV) who had filed OA No.943/89, were allowed the benefit claimed by applicant, and based on the judgment in KBK Jain's case (Supra). Shri George Thomas, Sr. M.I.I had filed OA No.79/92, and he was also given the same benefit of regularisation to the post of Sr. M.I. I from the date of his adhoc efficiation vide judgment dated 30.11.93.

4. Under the circumstance when similarly situated persons like applicant have been granted the relief prayed for, it would be arbitrary and discriminatory to deny applicant the relief prayed for.

5. Under the circumstance the OA succeeds and is allowed. Respondents are directed to consider regularising applicant as Sr. MII from the date of his adhoc appointment as such, with consequential benefits. Necessary orders in accordance with rules and instructions in this regard should be passed by respondents within 3 months from the date of receipt of a copy of this judgment. No costs.

Lakshmi
(MRS. LAKSHMI SWAMINATHAN)
MEMBER(J)

Antalige
(S.R.ADIGE)
MEMBER(A)