

In the Central Administrative Tribunal

Principal Bench: New Delhi

OA No.1852/92

Date of decision: 30.03.93.

Shri Hem Chander

...Applicant

Versus

Union of India & Others

...Respondents

Coram:-

The Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman (J)

The Hon'ble Mr. I.K. Rasgotra, Member (A)

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

For the respondents Shri T.K. Sinha, Counsel.

Judgement (Oral)
(Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman (J))

The principal prayer is that the respondents may be directed to consider the applicant for regularisation to the post of Mazdoor/Mason in the existing vacancies.

2. A reply has been filed on behalf of the respondents. Counsel for the parties have been heard. Our attention is drawn to communication dated 22.5.92 issued by the Administrative Officer, Commandar Works Engineers, asking the employment exchange concerned to sponsor suitable candidates for being employed as Mazdoor/Chowkidar/Safaiwala. According to the applicant, in pursuance of this invitation certain persons who are raw in the sense that they have not worked with the respondents have been considered and recruited. The stand taken by the respondents before us is that the applicant, having not worked for 240 days continuously, is not entitled to be considered at all for regularisation. The learned counsel for the applicant insists that on the basis of the aforesaid communication dated 22.5.92 freshers have been considered and recruited in June, 1992 whereas the learned counsel for the respondents states that it is not happened. Be that

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as it may, we direct that the respondents shall consider the case of the applicant in accordance with law for regularisation if anyone has been considered and regularised in pursuance of the aforesaid communication dated 22.5.92. The respondents shall pass appropriate order within a period of three weeks from today and communicate the same to the applicant within a week thereafter.

3. With these observations this Application is finally disposed of without any order as to the costs.

Shukla
(I.K. RASGOTRA)
Member(A)

S.K.B
(S.K. DHAON)
Vice-Chairman(J)

San.