

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, NEW DELHI.

11
O.A.No.383/92

Date of decision: 21.09.1993.

M.P.No.2056/93

Sh. Nand Lal & Ors. Applicants

versus

Union of India & Ors. Respondents

Coram:-

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

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

For the applicant : Sh. K.B.S. Rajan, counsel

For the respondents : Sh. P.H. Ramchandani, Sr.counsel

JUDGEMENT(ORAL)

(delivered by Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman)

The principal prayer is that the respondents may be directed to regularise the services of the petitioners.

Counter-affidavit has been filed on behalf of the respondents. Counsel for the parties have been heard. We are disposing of this application finally.

The uncontested material facts are these. The petitioners were initially appointed as temporary chowkidars in 1984. Subsequently by another order

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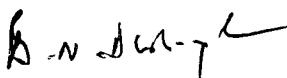
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they were appointed as casual chowkidars. Thereafter, the character of appointment was changed from "casual" to "ad hoc". They were given separate appointment letters. Nonetheless, they have put in 7 years service as Chowkidars in the office of Respondent No.4. The initial recruitment of the petitioners had taken place by adopting the full fledged process for the existing vacancies.

In the counter-affidavit filed, the respondents have stated that the petitioners cannot be regularised as there is a ban on recruitment. The ban, in our opinion, relates to fresh recruitment and not on regularising the services of the existing employees.

We direct the respondents to consider the cases of the petitioners for regularisation on merits and in accordance with law and in disregard ~~the process of ban. the ban.~~

With these directions, the O.A. is disposed of finally. No costs.


(B.N. Dhoundiyal)


(S.K. Dhaon)

Member(A)

Vice-Chairman

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