

(14)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1225/1992

New Delhi, dated this 5th of May, 1995

Hon'ble Shri Justice S.C. Mathur, Chairman
Hon'ble Shri P.T. Thiruvengadam, Member(A)

Shri Nanak Chand
s/o Shri Omi Lal
H.No.614, Bhim Gali, Malka Ganj
Delhi .. Applicant

(By Shri Lajpat Rai, Advocate)

versus

Union of India, through

1. Secretary
M/Urban Development
Nirman Bhawan, New Delhi
2. Director of Printing
Nirman Bhawan
New Delhi .. Respondents

(By Shri P.H.Ramchandani, Senior Counsel)

ORDER(oral)

Shri Justice S.C. Mathur

The applicant Shri Nanak Chand, who was appointed as Safaiwala on daily wages in the Ministry of Urban Development, by moving this application has sought a direction to the respondents to regularise his services on the said post.

2. According to the applicant, he was appointed on daily wages on 14.2.90 and he has completed the requisite period for claiming regularisation. The requisite period admittedly has been prescribed in the guidelines issued by the Department of Personnel on 26.10.84. A copy of the guidelines has been filed as Annexure-I to the application. From these guidelines, it appears that earlier instructions had been issued for the regularisation of those who had completed two years' service and had worked for at least 240
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days in each year. These guidelines were applicable to those who were working in the departments which were observing six day week. In the memorandum dated 26.10.84, it was provided that instead of 240 days the period may be 206 days in the Departments which are observing five day week. Admittedly, the applicant's department is observing five day week. The original application in the Tribunal was filed on 4.5.92. Although there was no interim order, the applicant has continued in service till date as admitted by the learned counsel for the respondents, who is accompanied by the departmental representative. Whether the applicant had completed the requisite period of service or not ~~at~~ the time of filing of the original application, it is not necessary for us to consider at this stage, as atleast at this stage the applicant has completed the qualifying period for regularisation,

3. In view of the above, the application is allowed to the extent that the applicant shall be considered for regularisation. ~~and a direction is issued to the respondents to consider the applicant for regularisation.~~ This shall be done within 3 months from the date a copy of this order is communicated to the Directorate of Printing (Respondent No.2).

4. There shall be no order as to costs.

P. J. Thiru

(P.T.Thiruvengadam)
Member(A)
5.5.1995

S. C. Mathur

Chairman
5.5.1995

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