

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

(A)

Regn.No. OA 1231/93

Date of decision: 12.8.93

Shri Jitender Ram .. Petitioner

vs.

Union of India through
Secretary,
Ministry of Water Resources,
Shram Shakti Bhavan,
New Delhi & anr. .. Respondents

For the Petitioner .. Shri K.L.Bhatia, counsel.

For the Respondents .. Ms. Protima Mittal, proxy
counsel for Sh.K.C.Mittal,
counsel.

CORAM:

THE HON'BLE MR. JUSTICE S.K. DHAON, VICE CHAIRMAN
THE HON'BLE MR. B.N. DHOUNDIYAL, MEMBER (A)

JUDGEMENT(ORAL)

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

The petitioner came to this Tribunal with the principal prayer that the respondents may be directed to regularise his services. This prayer cannot be granted in view of the admitted position that during the year 1991, the petitioner worked only for 158 days and during 1992 he worked only for 261 days. The petitioner was required to put in 240 days or 206 days of service, as the case may be, in each of the two consecutive years.

2. The learned counsel next urged that the petitioner's services have been wrongly terminated. In the reply, the case made out is that the petitioner himself withdrew from the job. On the basis of the record it is

difficult to record any finding as to whether the version of the respondents is incorrect.

(5)

3. The fact that the petitioner has put in some service certainly entitles him to be considered for fresh appointment if and when vacancy occurs in future. The respondents shall give preference to the petitioner over freshers and juniors to him. The respondents shall also take into account the period spent by the petitioner with them while considering his fresh appointment.

4. With these directions, this OA is disposed of finally. There shall be no order as to costs.

B. N. D. M. Y.
(B.N.DHOUNDIYAL)

MEMBER(A)

S. K. D. M. Y.
(S.K.DHAON)
VICE-CHAIRMAN(J)

SNS