

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA No. 1350/93

New Delhi this the 1st day of April, 1997

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Mrs Suman Mahajan
w/o Shri R.K. Mahajan
R/o Block No. 55,
H.No. 7, Sector-1,
Pushp Vihar, Saket, New Delhi-110017

(By Advocate Shri A.K. Behra)

... Applicant

Vs.

1. Union of India, through the
Secretary, Ministry of Information
and Broadcasting, Shastri Bhavan,
New Delhi.

2. Director General, Doordarshan,
Mandi House, New Delhi.

3. Director,
Doordarshan Kendra,
Sansad Marg,
New Delhi.

(None for the respondents)

... Respondents

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

The applicant has filed this application under Section 19 of the Administrative Tribunals Act., 1985 being aggrieved by the respondents action terminating her services by a verbal order as Production Assistant. By an ad interim order dated 29.6.93, the respondents were directed to continue the applicant as Production Assistant. Shri A.K. Behra, learned counsel submits that by virtue of the interim order, which has been subsequently continued from time to time, the applicant still continues as Production Assistant.

2. In spite of several opportunities being granted to the respondents, no reply has been filed. When the case was taken up for hearing today, none ~~has~~ appeared on behalf of the respondents. Shri B. Lall, learned Central Govt. Standing Counsel who was present in court, who is familiar with similar cases, assisted the Court with regard to the scheme - O.M.

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issued by the respondents dated 10.6.92 for regularisation of Casual Artists in Doordarshan. The assistance rendered by Shri B.Lall, learned counsel is appreciated.

3. Briefly stated ^{is} what the applicant claims ^{is} that she was initially engaged as Production Assistant on 11.11.1989 and has ~~since~~ worked for a period of 120 days in 1991-92 and 40 days in April, 1992 when this O.A. was filed.

As mentioned above, the applicant has continued to work as Production Assistant by virtue of the interim order ^{passed} by the Tribunal dated 29.6.93. Learned counsel for the applicant submits that in terms of the O.M. dated 10.6.92, the applicant was entitled to be regularised as she had put in 120 days service in a particular Kendra, namely, Delhi Doordarshan Kendra, but the respondents have failed to regularise her and give her consequential benefits. He further submits that the O.M. dated 10.6.92 has been further liberalised by the subsequent instructions/ guidelines. He, therefore, seeks a direction to the respondents to consider the claim of the applicant in accordance with the liberalised scheme, as applicable to her and for granting her consequential benefits, including scale of pay and other service benefits from the due date of her regularisation.

4. It is noted that the respondents have not filed any reply in spite of several opportunities being given to them. However, Shri B.Lall, learned counsel has submitted that in similar case, the Tribunal has disposed of the petition by directing the applicant to submit a representation, with a direction to the respondents to dispose of the same in accordance with the scheme and the instructions for regularisation of Casual Artists with consequential benefits in accordance with law.

5. In the facts and circumstances of the case, this O.A. is disposed of with the following directions:-

The Respondents are granted three months time from the date of receipt of a copy of this order to pass a reasoned and speaking order with regard to the claim

of the applicant in this Original Application, treating this application itself as the representation in accordance with the guidelines/scheme dated 10.6.92 as liberalised by subsequent instructions and they shall grant regularisation to the applicant from the due date with all consequential benefits.

In the circumstances of the case the interim order dated 29.6.93 shall continue till the passing of the order by the respondents.

O.A. is disposed of as above. No order as to costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)

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