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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn.No. OA 243/1993

Date of decision: 13.05.1993

Shri Kanhiya Lal

...Applicant

Versus

Union of India & Another

...Respondents

For the Applicant

...Shri O.P. Khokha, Counsel

For the Respondents

...None.

CORAM:

THE HON'BLE MR. JUSTICE S.K. DHAON, VICE CHAIRMAN
THE HON'BLE MR. S.R. ADIGE, ADMINISTRATIVE MEMBER

1. To be referred to the Reporters or not?

JUDGMENT (ORAL)

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

The petitioner alleges that he rendered service in the Telecom Department for 240 days in a particular year. According to him, the Scheme, as initiated by the department, applies to his case and under it, he is entitled to the regularisation of his services.

2. A reply has been filed on behalf of the respondents. It is averred therein that the petitioner has not rendered 240 days continuous service in two consecutive years and, therefore, he is not entitled to the benefit of the said Scheme. The learned counsel urges that the
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Scheme itself provides that a casual labour who has put in 240 days of service in a particular year should be considered for regularisation.

3. The authority empowered shall examine the case of the petitioner and also the Scheme to ascertain as to whether it is provided therein that in order to entitle casual labourer to be regularised in service, he should have put in 240 days of service in one particular year or in two consecutive years. The authority concerned, if comes to the conclusion that the petitioner is not entitled to the benefit of the scheme, it shall give reasons and communicate the same to the petitioner within a reasonable period. The authority concerned shall act very expeditiously.

3. With these directions, this application is disposed of finally but without any order as to costs.

S.R. Adige
(S.R. ADIGE)
MEMBER (A)
13.05.1993

S.K. Dhaon
(S.K. DHAON)
VICE CHAIRMAN
13.05.1993

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