

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 15th day of January 2009

Original Application No. 1325 of 2005

Hon'ble Mr. A.K. Gaur, Member (J)
Hon'ble Mr. S.N. Shukla, Member (A)

Virendra Kumar Ojha, S/o Shri Heera Lal Ojha, R/o Village Bhabhuabhar, Post Narainpur, Distt: Mirzapur, Presently posted as C.P. Chaukidar, Adalhat, Mirzapur Division, Distt: Mirzapur.

. . . Applicants

By Adv : Sri G.K. Gupta

V E R S U S

1. The Union of India through Secretary, Ministry of Communication, Department of Post and Telecommunication, Govt. of India, New Delhi.
2. The Post Master General, Zonal Office, Allahabad.
3. The Superintendent of Post Offices, Mirzapur Division, Varanasi.

. . . Respondents

By Adv: Sri S.C. Mishra

O R D E R

By Hon'ble Mr. A.K. Gaur, Member-J

Through this OA the applicant has claimed for direction to the respondents to consider and make regularization of the applicant in service since the date of ^{getting the} status of temporary Group 'D' employee.

2. By filing reply the respondents have stated that the applicant was initially engaged as C.P. Chawkidar on 28.09.1969 and since he has been working on the said post. It has also been submitted by the respondents that the

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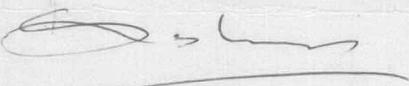
applicant was granted temporary status and he is being given all the benefits of temporary employee as per C.P. Rules.

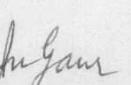
3. The applicant has already preferred representation seeking regularization from time to time and his last two representations are dated 19.06.2004 and 19.01.2005 (Annexure 3 to the OA).

4. We have heard Shri G.K. Gupta, learned counsel for the applicant and Sri S.C. Mishra, learned counsel for the respondents. In view of clear and unequivocal statement of fact made by the learned counsel for the respondents in their reply that it has been provided that a C.P. Chawkidar who worked continuously three years with temporary status will be treated at par with temporary Group 'D' employee and therefore, he will be entitled to such benefits as are admissible to Group 'D' employee on regular basis. In view of said statement of fact we are firmly of the view that there appears hardly ~~any~~ ^{was any} justification for not considering the case of the applicant for regularization on the post of Chawkidar. We accordingly, direct the respondents to consider and pass appropriate order with regard to regularization of the applicant within a period of three months from the date of receipt of a copy of this order.

5. In view of the above the OA is disposed of. No cost.

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(S.N. Shukla)
Member (A)


(A.K. Gaur)
Member (J)