

① A2
1

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

...

Registration O.A. No .954 of 1987

Rajendra Kumar ... Applicant.

Versus

Union of India
and others ... Respondents.

...

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon'ble Mr. K. Ohayya, Member (A)

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant was appointed as Chaukidar in Carpet Weaving Centre, Ahraura, Mirzapur in the year 1978 on daily wages and he continued to work upto the year 1987. Large number of vacancies in the posts of Chaukidar occurred and it was decided to absorb on regular basis Chaukidars who were being given intermittent employment just like the applicant on daily wages basis. The applicant was also required to appear before the Field Administrative Cell, Varanasi along with his various certificates. But the method adopted by the respondents for determining the seniority was the total number of days of actual service irrespective of the date of the first appointment but no seniority list was published and many persons junior to the applicant was regularised but the applicant was not regularised, therefore, the applicant has approached the Tribunal.

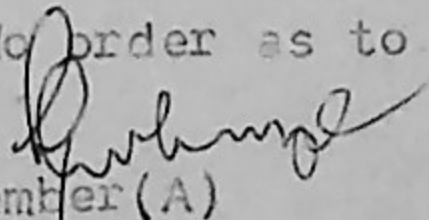
2. The respondents in their return have stated that as per the seniority list of the

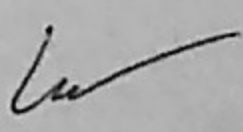
(8) 172
2

- 2 -

daily wagers, the applicant is reflected at Sl. No. 77 and his turn has not yet come and as and when his turn shall come, he shall be given a regular job. The very same seniority came up for consideration before us. It has already been decided in another case i.e. in O.A. No. 711 of 1991 decided on 15.1.1993 and in the said list, the name of Lalman was at Sl. No. 78 i.e. just after the applicant and we allowed the said application taking into consideration the case of one Rajit Ram Diwedi and the very same thing applies in the case of the applicant as in the seniority list, he was above the said Lalman.

3. Accordingly the respondents are directed to regularise the applicant in the same manner as they have done in the case of Lalman giving priority and preference to the applicant over Lalman as he is just above to the Lalman. The application is disposed of with the above terms. No order as to the costs.


Member (A)


Vice-Chairman

Dated: 23.3.1993

(n.u.)