

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD

Original Application No. 787 of 1992

Mahesh Kumar Singh & another ----- Applicant

Union of India & others ----- Respondents

Hon'ble Mr. Justice U.C. Srivastava, V.C.
Hon'ble Mr. K. Obayya, A.M.

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

In this application the applicants have prayed for quashing the order dated 12.5.92 in pursuance of which the service of the applicant have been dispensed and they have claimed for regularisation also alongwith consequential benefits.

2. The applicants were appointed vide order dated 27.2.1989, after their names were sponsored from Employment Exchange and they joined ~~on~~ class IV post in the office of Assistant Collector-Fathegarh on 2.3.1989 and 25.8.84 respectively and they have been continuing on their post/initially. they were paid Rs. 15/- per day up to July 1989 and thereafter they were paid consolidated pay Rs. 750/- per month.

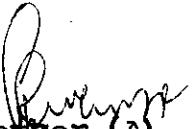
3. According to the applicant they have discriminated in the matter of regularisation in as much as one Shri Mahmood Ali who was casual worker ~~was~~ joined on the post of Pump Operator after three or four months from the date of joining of the applicant has been regularised in the month of December/January 1991. ~~Strangely~~ enough the applicant's services have been dispensed with. The applicant have claimed benefit of the judgement in the case of CPWD Department in Surendra Singh & another vs. Union of India & others AIR 1986 SC page 584 and circular dated 7.6.88 issued by Ministry of Personal.

4. According to the respondents regularisation of all casual workers were considered for appointment in the g.

of class IV post by duly appointed committee which ~~had been~~ ^{did not find} the applicant suitable for the post for regularisation and accordingly in terms of instructions contained in Board's letter dated 30.3.92 the service of the applicants were dispensed with.

5. As the applicants have been continuously working ^{for} about 9 years, they have gained experience, they should be ~~connected~~ and their case for regularisation may also be considered against any available vacancy, incase juniors to the applicants have been regularised.

6. The application stands disposed of with the above direction. No order as to costs.


Member (A)

Allahabad

Dated 23.3.93

(g.s.)


Vice-Chairman