

CENTRAL ADMINISTRATIVE TRIBUNALALLAHABAD BENCH, ALLAHABADORIGINAL APPLICATION NO. 475 of 1993

Allahabad, this the 25th day of April, 2000

CORAM : Hon'ble Mr. Rafiq Uddin, Member (J)

Hon'ble Mr. M.P. Singh, Member (A)

Roop Kishore Singh S/o Shri Surjan Lal,  
R/o 458/A India Ofting Railway Colony,  
T.P. Nagar, Kanpur-23

....Applicant

C/A Shri B.N. Singh

Versus

1. Union of India through Divisional Rail Manager  
Northern Railway Allahabad Division  
Allahabad.

2. Divisional Account Officer, Northern Railway  
Allahabad.

3. Divisional personnel officer  
Northern Railway,  
Allahabad.

.... Respondents

C/R Shri S.C. Tripathi

Shri A.V. Srivastava

O R D E R

(By Hon'ble Mr. Rafiq Uddin, Member (J)

The applicant has filed this O.A. for the  
direction to be issued to the respondents to regularise

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his service on the post of Ferro Printer from the date of his promotion on that post and for grant him proper seniority and other benefits.

2. The admitted case of the parties is that the applicant was initially appointed as casual labour w.e.f. 19.09.1977 and was also granted temporary status w.e.f. 23.02.1981.

3. The applicant is working as Ferro Printer in the grade of Rs. 825-1200/- w.e.f. 21.01.1989. The grievance of the applicant is that his service on the post of Ferro Printer be regularised from that date.

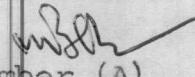
4. The case of the respondents on the other hand is that applicant is working as Ferro Printer against a work charge post because there is no permanent post of Ferro Printer, hence, his service on that post cannot be regularised. But the applicant is being paid salary in the grade of Rs. 825-1200 regularly since October 1993 and his arrear of salary has also been paid in the month of October 1993. Hence, the applicant has no case and application liable to be dismissed.

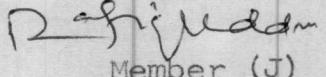
5. We have perused the record.

6. It is evident from the counter reply filed by the respondents that the service of the applicant has not been regularised on the fresh post of Ferro Printer because no permanent post is available. But merely because the applicant is being paid salary of that post direction cannot be issued to the

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respondents to regularise his service for want of post Ferro Printer. Therefore, applicant has no case. However, the respondents are directed to regularise the service of the applicant as and when the post of Ferro Printer is available in the grade of Rs. 825-1200/- as per rules. The O.A. is disposed of accordingly.

  
Member (A)

  
Member (J)

/S.P./