

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 2ND DAY OF NOVEMBER, 2000

Original Application No.818 of 1995

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.S.BISWAS, MEMBER(A)

Panna Lal, S/o Sri Ram Kumar
R/o Mohalla Purani bajaji Konia
Ghat, P.O. Dhundhi Katara
Mirzapur.

... Applicant

(By Adv: shri I.R.Singh)

Versus

1. Superintendent of post Offices, Mirzapur.
2. Union of India through its Secretary
Post & Telegraph Department
New Delhi.

... Respondents

o r d e r(Oral)

(By Hon.Mr.Justice R.R.K.Trivedi,V.C.)

By this application u/s 19 of the A.T.Act 1985 the applicant has prayed for a direction to the respondent no.1 Supdt. Post Offices Mirzapur to regularise the services of the applicant as class IV. Learned counsel for the applicant has submitted that applicant was appointed on 20.7.1997 as Waterman/Farrash on a fixed pay of Rs.120/-. The copy of appointment has been filed as (Annexure 1). It has been submitted that since then the applicant is serving in post office regularly without any break, though applicant by now has served for more than 23 years but he has not been given regular appointment.

Counter affidavit has been filed wherein it has been stated that applicant was engaged as a contingency paid employee as Waterman/Farrash and he was paid allowance according to work load as per rules. The services of the applicant could not be regularised as class IV employee.

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We have considered the submissions of the learned counsel for the applicant. From the averments made in the counter affidavit and appointment order it is clear that applicant's engagement was as a contingency paid employee. However, as applicant has served about 23 years, in our opinion it is a fit case where department should consider to accommodate him on regular basis as a class IV employee. For this purpose we give liberty to the applicant to make representation before the appropriate authority within a period of three weeks which shall be considered and decided by a reasoned order within three months. We hope that the case of the applicant shall be considered sympathetically. No order as to costs.

S. B...

MEMBER(A)

[Signature]

VICE CHAIRMAN

Dated: 02.11.2000

Uv/