

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

O.A. NO. 383 OF 1989.
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DATE OF DECISION 26.04.1994.

Shri Jayantilal Narshibhai Petitioner

Shri B.B.Gogia Advocate for the Petitioner (s)

Versus

Union of India and ors. Respondent

Shri Akil Kureshi Advocate for the Respondent (s)

CORAM

The Hon'ble Mr. N.B.Patel ; Vice Chairman

The Hon'ble Mr. K.Ramamoorthy : Member (A)

JUDGMENT

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

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Shri Jayantilal Narshibhai,
Hindu, Adult,
Bhangi Harijan Vas,
Rajkot.

...Applicant.

(Advocate : Mr.B.B.Gogia)

Versus

1. Union of India,
Through : Secretary,
Ministry of Labour,
Government of India,
New Delhi.
2. Regional Provident Fund
Commissioner,
Dalal Wada,
Opp.Electricity House,
Relief Road,
Lal Darwaja,
Ahmedabad.

...Respondents.

(Advocate : Mr.Akil Kureshi)

ORAL ORDER
O.A.NO.383 OF 1989.

Dated : 26.04.1994.

Per : Hon'ble Mr.N.B.Patel : Vice Chairman

In response to our query and directions dated 05.10.1993, Mr.Akil Kureshi states that he is instructed to say that the question of regularisation of the applicant is kept pending only because of the pendency of the appeal before the Supreme Court. However, from the copy of the order dated 12.2.1990, passed by the Hon'ble Supreme Court in the Special Leave Application no.2238/90, (copy produced by Mr.Akil Kureshi taken on record), it appears that the appeal is admitted only qua the award of back wages to the present applicant. There is,

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therefore, no valid reason why the exercise of considering the applicant for regularisation should not be undertaken and completed within a reasonable time.

2. We, therefore, allow this application to the extent of directing the respondents to consider the question of regularisation of the applicant in accordance with relevant instructions and rules on the point and to take decision in the matter within a period of eight weeks from the date of the receipt of a copy of this order and to communicate to the applicant their decision within a period of ten days after it is taken. We also direct the respondents to accord to the applicant all benefits flowing from his regularisation, if decided upon pursuant to our aforesaid directions. It goes without saying that if the applicant is entitled to the regularisation, he will be regularised from the date from which he is due to be regularised. In the circumstances of the case, there will be no order as to costs.

(K. Ramamoorthy)
Member (A)

(N. B. Patel)
Vice Chairman

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