

Central Administrative Tribunal,  
Cuttack Bench, Cuttack.

Original Application No.61 of 1990

Date of decision: July 10, 1992

Niranjan Behera : Applicant

Versus

Union of India and others : Respondents

For the applicant : M/s. Devanand Misra,  
Deepak Misra,  
A. Deo,  
B. S. Tripathy,

For the Respondents : Mr. Aswini Kumar Misra, Sr. St. Counsel (CAT)

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CORAM:

THE HONOURABLE MR. K.P. ACHARYA, VICE CHAIRMAN

AND

THE HONOURABLE MR. M.Y. PRIOLKAR, MEMBER (ADMINISTRATIVE)

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1. Whether reporters of local papers may be allowed to see the judgment? Yes.
2. To be referred to the reporters or not? No
2. Whether Their Lordships wish to see the fair copy of the judgment? Yes.

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JUDGMENT

K.P.ACHARYA, V.C. In this application under section 19 of the Administrative Tribunals Act, 1985, the petitioner prays <sup>for</sup> a direction to the Opposite parties to regularise the services of the petitioner.

2. Shortly stated the case of the petitioner is that the Petitioner had been appointed on daily wage basis as a Mail man and according to the petitioner he has worked ~~for~~ in various posts such as Telegraph Messenger, Pakcer, Letter Box Peon etc. According to the petitioner ~~that~~ though he has worked for several years his services have been terminated illegally. Hence he prays for a direction to be reengaged and regularised.

3. In their counter, the Opposite Parties maintained that the petitioner had temporarily worked for an intermittent period. During the course of argument, Mr. Misra learned counsel for the petitioner submitted that the petitioner had worked for 700 days. We cannot ascertain the correctness of the fact. The Departmental authority may calculate the exact period the petitioner had worked and if his services are satisfactory, we would <sup>commend</sup> ~~command~~ the Departmental authority to act according to the judgment passed by this Bench in O.A. 147 of 1991 disposed of on 28.4.1992. The Petitioner Shri Niranjan Behera is at liberty to obtain a certified copy of the Judgment in O.A. 147/91 and produce the same before the Superintendent of Post Offices, Koraput Division who may consider his reengagement and thereafter absorption/regularisation either at ~~Sundabeda~~ 1 or 2 or any other post offices provided that he is found to be suitable.

4. Thus, the application is accordingly disposed of leaving the parties to bear their own costs.

  
MEMBER (ADMINISTRATIVE)

  
10/7/92  
VICE CHAIRMAN