

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 498 of 1991

Date of Decision: 9.11.1992

M.R. Panigrahi & Others Applicant

Versus

Union of India & Others Respondents

For the applicant

Mrs. R. Sikdar
Mrs. U. R. Padhi
Mr. Amiya Mishra,
Advocates

For the respondents

Mr. Ashok Mishra,
Standing Counsel
(Central Government)

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C O R A M

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

AND

THE HONOURABLE MR. K. J. RAMAN, MEMBER (ADMINISTRATIVE)

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

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JUDGMENT

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MR.K.P.ACHARYA, VICE-CHAIRMAN, In this application under Section 19 of the Administrative Tribunals Act,1985, the petitioner (two in number) pray for regularisation of their services.

2. From 1.1.1987 to September,1987, the petitioners worked as reference Clerk on contingent basis. They ceased to function from first week of September,1987. They filed an application under Section 19 of the Administrative Tribunals Act,1985 along with two others forming subject matter of Original Application No.207 of 1988. In the said judgment the Bench Observed that the matter is left open to the discretion of the Accountant General to employ the petitioners whenever vacancy arises. Though it is contended by Mrs.Sikdar, learned counsel for the petitioner that there are vacancies available, yet there is a stout denial to this assertion by the learned Standing Counsel Mr.Ashok Mishra, pleading on behalf of the opposite parties. However, we repeat and say that in these hard days when several persons are going with begging bowls from post to pillar to sustain their livelihood, sympathetic attitude should be taken by every officer concerned and we are sure the Accountant General would sympathetically consider all the cases of the petitioners to give them some employment if there is no adverse report against them.

3. It was next contended by Mrs.Sikdar that the petitioners are entitled to same basic pay scale of pay as that of the regular employees during their period of employment on contingent basis. We grant leave to the petitioners to file a representation before the Accountant

General placing before him the law on this subject as pronounced by the Hon'ble Supreme Court and the Accountant General will pass a reasoned order according to law.

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

WPC
MEMBER (ADMINISTRATIVE)

DRB
9.11.92
VICE-CHAIRMAN

Central Administrative Tribunal
Cuttack Bench, Cuttack
dated the 9.11.1992 B.K. Sahoo

