

Order dated: 07.07.2009

Coram: Hon'ble Mr. Justice K. Thankappan, M(J)

The only question which remains in this O.A. vis-à-vis with the prayers is regularization of the service of the applicant and pay as per the circular of Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training dated 07.06.1988. For this regularization, the applicant had taken the ground that he had got service of 253 days in the year 1997 without any break and that service has to be counted for regularization but that period of service is disputed by the Department and there is no other document to show that the applicant is entitled for the regularization of casual service in the Group-D post.

On perusing the counter affidavit as well as the averments in the O.A., I find that the applicant has failed to prove his case for regularization in Group-D post as there is no material to hold that the prayer of the applicant is justifiable.

However, when the O.A. was admitted by this Tribunal, this Tribunal allowed the second prayer of the applicant for payment of 1/30th of the pay as per the circular of Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training.

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In the above circumstances, the first prayer is rejected
and the second prayer is allowed.

Accordingly, the O.A. is partly allowed. No costs.

L Kappan
Member (Judl.)

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