

Central Administrative Tribunal
Jodhpur Bench, Jodhpur

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Date of order : 16.2.2001

O.A.No. 356/99

Ramesh Chand S/o Shri Kamal Giri aged about 42 years, R/o Qtr. No. 2171 Railway D.S.Colony, Jodhpur, at present employed on the post of Junior Draftsman in the office of Dy. Chief Engineer (C-II), Jodhpur, Northern Railway.

..... Applicant.

Versus



1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway, Jodhpur Division, Jodhpur.
3. Deputy Chief Engineer (Construction-II), Northern Railway, Jodhpur.
4. The Chief Administrative Officer (Construction), Northern Railway, Kashmiri Gate, Delhi-6.

..... Respondents

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CORAM :

HON'BLE MR. A. K. MISRA, JUDICIAL MEMBER

HON'BLE MR. A. P. NAGRATH, ADMINISTRATIVE MEMBER

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MR. J. K. Kaushik, Counsel for the applicant.

MR. Kamal Dave, Counsel for the respondents.

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PER HON'BLE MR.A.K.MISRA :

The applicant had filed this O.A. with the prayer that the respondents be directed to consider regularisation of the applicant on the post of Draftsman in group 'C' in the pay scale of Rs. 1200-2040 in terms of the Railway Board's Circular dated 9.4.97.

2. Notice of the O.A. was given to the respondents who have filed their reply in which it is stated by the respondents that the applicant was regularised on the post of Khalasi and he cannot claim regularisation as Draftsman, group 'C' post because the same is not in his channel of promotion. The O.A. deserves to be dismissed.

3. We have heard the learned counsel for the parties and have gone through the case file.

4. The facts of the case are not in dispute. The applicant who was initially appointed as Khalasi, was being utilised on the post of Junior Draftsman on ad hoc basis. He has been regularised on Group 'D' post by the respondents but the claim of the applicant is for regularisation on the group 'C' post on the basis of long working. But, in our opinion, in view of the order rendered in Aslam Khan's case, the applicant is not entitled to be regularised on the post of Draftsman, the said post not being in the promotional channel of Khalasi.

5. Similarly in Ram Lubhaya's case, in which

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order was given by the Full Bench of Central Administrative Tribunal. ~~and~~ It was held that long working on ~~does~~ ad hoc basis ^{does} not entitle the applicant for regularisation. Such employees are entitled to regularisation in their turn in their parent division in accordance with the rules.

6. In view of the above propositions, the applicant cannot claim regularisation. The Original Application is devoid of merit and deserves to be dismissed and is hereby dismissed.

7. There is no order as to costs.

Amrit
(A.P.NAGRATH)
Adm.Member

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J.M.*
16/2/2001
(A.K.MISRA)
Judl.Member

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Revd by
Neogoyal
27/2/07

Part II and III destroyed
in my presence on 21/3/07
under the supervision of
Section Officer () as per
order dated 17/12/06

Section Officer (Record)

R/COPY
on 27/2/07
PSL