

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. Nos. 77/95 and 158/95.

Monday this the 19th day of February, 1996.

CORAM:

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR. S.P. BISWAS, ADMINISTRATIVE MEMBER

O.A. 77/95

Prasantha Guchhait,
Post Graduate Teacher (Biology),
Government Senior Secondary School,
Minicoy, Union Territory of Lakshadweep,
residing at Government Quarters,
Minicoy. .. Applicant

(By Advocate Shri M.R. Rajendran Nair)

Vs.

1. The Administrator,
Union Territory of Lakshadweep,
Kavaratti.
2. The Director of Education,
Directorate of Education,
Union Territory of Lakshadweep,
Kavaratti. .. Respondents

(By Advocate Shri M.V.S. Nampoothiry (represented))

O.A.158/95

Jomon J. Kulangara,
Post Graduate Teacher (Chemistry),
Government High School, Minicoy,
residing at Government Quarters,
Minicoy. .. Applicant

(By Advocate Shri M.R. Rajendran Nair)

Vs.

1. The Administrator,
Union Territory of Lakshadweep,
Kavaratti.
2. The Director of Education,
Directorate of Education,
Union Territory of Lakshadweep,
Kavaratti. .. Respondents

(By Advocate Shri M.V.S. Nampoothiry (represented))

These applications having been heard on 19th February, 1996
the Tribunal on the same day delivered the following:

ORDER

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

The facts of these two cases are similar.

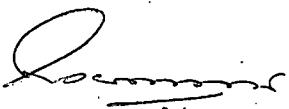
2. Applicants, Post Graduate Teachers, working on contractual basis under respondents seek a declaration that they are entitled to be regularised. Ordinarily a contractual employee has no right to be regularised, but as pointed out by the Supreme Court in Sri Rabinarayan Mohapatra Vs. State of Orissa and others (AIR 1991 SC 1286) and in Karnataka State Private College Stop-Gap Lecturers Association and others Vs. State of Karnataka and others (AIR 1992 SC 677) special circumstances may justify special treatment.

Applicants submit that they are prepared to make representations before the Administrator and that they have full confidence in the objectivity of the Administrator. We record the submission and permit applicants to make representations before respondent, Administrator, Union Territory of Lakshadweep. The Administrator will examine the matter on its merits and with reference to the decisions of the Supreme Court and pass appropriate orders on the representations, within four months of the date of receipt of the representations. Status-quo as of today

will be maintained till a decision is taken as aforesaid.

3. Original Applications are disposed of as aforesaid. No costs.

Monday this the 19th day of February, 1996.


S.P. BISWAS
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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