

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

OA No. 94 of 2004

Monday, this the 9th day of February, 2004

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. H.P. DAS, ADMINISTRATIVE MEMBER

1. K.M. Baby Girija,  
Assistant Store Keeper,  
Material Organisation,  
Kochi-4

....Applicant

[By Advocate Mr. T.A. Rajan]

Versus

1. Union of India, represented by the  
Secretary, Ministry of Defence,  
New Delhi.
2. The Flag Officer Commanding in Chief,  
Headquarters, Southern Naval Command,  
Kochi-4
3. The Chief Staff Officer (P&A),  
Headquarters, Southern Naval Command,  
Kochi-4

....Respondents

[By Advocate Mr. C. Rajendran, SCGSC]

The application having been heard on 9-2-2004, the  
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant who commenced service as a Safaiwala on casual basis on 6-2-1985 was later appointed on a regular basis with effect from 1-2-1989 and after getting promotion she is presently working as a Store Keeper. The grievance of the applicant is that the period of her service on casual basis has not been reckoned for the purpose of increment, leave, pension etc. and her representation in that regard made on 6th June 2003 has not yet been considered and disposed of. The applicant has, therefore, filed this application for a declaration that she is entitled to the benefit of computation of casual service after condonation of the artificial breaks for the purpose of increment, leave, pension etc.

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2. When the application came up for hearing, learned counsel of the applicant submitted that the applicant may be permitted to make a more consolidated representation to the 2nd respondent drawing attention to the judgements of the various Benches of the Central Administrative Tribunal and claiming regularization of the service of the applicant with effect from the date of initial entry on casual basis with attendant benefits and the 2nd respondent be directed to consider the same and dispose it of with a speaking order within a time frame. Shri C.Rajendran, learned SCGSC taking notice on behalf of the respondents also agreed that the application may be disposed of granting the applicant such liberty and directing the 2nd respondent to consider the representation.

3. In the light of the submissions made by the learned counsel on either side, the Original Application is disposed of permitting the applicant to make a detailed representation to the 2nd respondent, regarding regularization of the applicant's service with effect from the date of initial entry on casual basis with attendant benefits, within a period of two weeks from today and directing the 2nd respondent that, if such a representation is received, the same shall be considered in the light of the rules, rulings and instructions on the subject and an appropriate reply be given to the applicant within a period of two months from the date of receipt of such representation. There is no order as to costs.

Monday, this the 9th day of February, 2004

  
H.P. DAS  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN

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