

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.153/95

Wednesday, this the 5th day of July, 1995.

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR SP BISWAS, ADMINISTRATIVE MEMBER

V Raji,
Casual Labourer,
Passport Office,
Trivandrum.

- Applicant

By Advocate Mr MR Rajendran Nair

Vs

1. Union of India represented by
Secretary to Government,
Ministry of External Affairs,
New Delhi.
2. The Joint Secretary and
Chief Passport Officer,
Ministry of External Affairs,
New Delhi.
3. The Passport Officer,
Passport Office,
Trivandrum. - Respondents

By Advocate Mr S Radhakrishnan, Additional Central Government
Standing Counsel

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

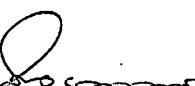
Applicant seeks a declaration that her services are liable to be regularised. A further declaration that she is entitled to get the pay of a Group C employee is also sought. Admittedly, applicant has been treated as a Group C employee for certain purposes (for purpose of retrenchment) and as Group D employee (for purpose of payment of wages). She does not get the benefit

of retention in service as if she was a Group D employee and she does not get the benefit of wages as if she was a Group C employee. Five months time was granted for the respondents to make up their mind. Respondents were not able to take a definite stand. So on 27.6.95 we granted further time and directed respondents:

"to show cause why applicant should not be ordered to be treated as a Group C employee. If no cause is shown, it will be taken that respondents have no objection in granting the relief."

2. They have not shown cause. In these circumstances, we allow the application and grant a declaration that applicant will be treated as a Group C employee for purpose of payment of wages. As far as the prayer for regularisation is concerned, it has to be worked out independently after a proper adjudication. We express no opinion on this.
3. The application is allowed with costs which we fix at Rs.500/- (Rupees five hundred only)

Dated, the 5th July, 1995.



SP BISWAS
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN