

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.200/2004.

Wednesday this the 17th day of March 2004.

CORAM:

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

A.V.Parukutty,
D/o Raman Nambiar,
Mavila Veedu, P.O.Kakkad,
Casual Labourer, Research Centre of S.B.I.,
Kannur-670002.
Applicant

(By Advocate Shri P.M.Pareeth)

Vs.

1. Director,
Sugar Cane Breeding Institute,
Coimbatore - 641 007.
2. Scientist in-charge,
Research Centre,
Sugar Cane Breeding Institute,
Kannur - 670 002.
3. Union of India, rep. by Secretary,
Ministry of Agriculture,
Government of India,
Central Secretariat,
New Delhi.
Respondents

(By Advocate Shri M.Rajendra Kumar, ACGSC)

The application having been heard on 17th March 2004,
the Tribunal on the same day delivered the following:

O R D E R (Oral)

HON'BLE MR.KV.SACHIDANANDAN, JUDICIAL MEMBER

The applicant joined duty as casual labourer at Sugar Cane Breeding Institute Research Centre, Kannur in the year 1976. She continued there for different spells with intermittent breaks upto 1981. Thereafter from 4.11.81 onwards she was working there in temporary status without any interruption. Even though during the tenure of the last more than 22 years a number of vacancies of regular hands arose and were filled up, the applicant's service was not regularised. Aggrieved by the inaction on the part of the respondents the applicant has filed this O.A. seeking the following main reliefs:



- i. To declare that the applicant having put in more than 22 years' service as Casual Labourer under the first and second respondents is entitled to be regularised with retrospective effect from 4.11.81 and that she is entitled to get proportionate pensionary benefits.
- ii. To direct the first respondent to regularise the services of the applicant with retrospective effect from 4.11.1981 and to grant eligible pensionary benefits to the applicant;
- iii. To direct the first respondent to consider and pass orders on Annexure A-3 representation pending before him within a time frame;

2. When the matter came up before the Bench, Shri P.M.Pareeth appeared for the applicant and Shri M.Rajendra Kumar, ACGSC appeared for the respondents. Learned counsel for applicant submitted that the applicant has already submitted a representation dated 1.3.2004 (A3) to the Ist respondent which has not yet been disposed of by the respondents. He submitted that the applicant would be satisfied if a limited direction is given to the respondents to dispose of the said representation within a time frame. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.

3. In the interest of justice, this Court directs the Ist respondent to consider and dispose of A-3 representation well before 5.4.03 (the applicant is said to be retired on that date) and give her a speaking order with reference to the rules and regulations on the subject. This Court also directs the applicant to forward a copy of the O.A. and the representation to the Ist respondent within three days.

4. O.A. is disposed of as above. In the circumstance no order as to costs.

Dated the 17th March, 2003.



K.V.SACHIDANANDAN
JUDICIAL MEMBER.