

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A No.277/92

DATE OF DECISION: 9.6.93

K.G.Augustine Baby

Applicant

Mr.G.Sasidharan Chempazanthiyil

Advocate for the Applicant

vs.

1. Assistant Engineer(Phones)  
Air Condition and Power, Cochin -682011.. Respondents
2. General Manager,  
Telecom District, Ernakulam.
3. Chief General Manager,  
Telecom Kerala Telecom Circle,  
Thiruvananthapuram.
4. Superintending Engineer,  
Electrical Wing,  
Telecom Madras.
5. Union of India, represented by its  
Secretary in the Ministry of Communications,  
New Delhi.

Mr.George C.P.Tharakan,SCGSC

Advocate for the respondents

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THE HON'BLE MR.JUSTICE C.SANKARAN NAIR, VICE CHAIRMAN

THE HON'BLE MR.R.RANGARAJAN, ADMINISTRATIVE MEMBER

JUDGMENT

C.SANKARAN NAIR(J),VICE CHAIRMAN

Applicant seeks a declaration that he is entitled to be regularised as a Technician. He was appointed on a temporary basis on 15.5.83 to the post of Mechanic (Technician),Air Conditioning and Refrigeration. He continues in that capacity even today as a temporary employee. The justification put forward for not regularising him, is that he does not possess the qualification for regular appointment. Annexure-R1 states that 35% of the posts will be filled up by promotion through Departmental Examination held for the purpose. Though

applicant is not a regular employee, in the light of Annexure-VI and in the light of the principles enunciated in H.C.Puttaswamy and others v. The Hon'ble Chief Justice of Karnataka(AIR 1991 SC 295), the applicant's claim for regularisation will be considered against the 35% quota herein before mentioned. He may make a comprehensive representation before the third respondent and the said respondent shall pass appropriate orders, in accordance with law, within three months of the date of receipt of the representation. Application is disposed of as above. No costs.



(R.RANGARAJAN)  
ADMINISTRATIVE MEMBER

9.6.1993



(C.SANKARAN NAIR(J)  
VICE CHAIRMAN

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List of Annexures:

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|----|-------------|--|
| 1. | Annexure-VI | :True copy of DOP &Trg. No. 49014/16/89-Estt.(C) dated 16.7.90.        |
| 2. | Annexure R1 | :True copy of the notification No.D.G. P&T 27.15/81 NCG dated 20.7.83. |