

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A. No.303/95

Thursday this the 23rd day of February, 1995.

CORAM:

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR.S.P.BISWAS, ADMINISTRATIVE MEMBER

K.V.Devassy,  
Kaithottumkal House,  
Edanad, Chowra P.O.  
Working as Mazdoor,  
under the Sub Divisional Engineer(Telecom)  
Transmission Project,  
Kozhikode.

..Applicant

(By Advocate M/s.Santhosh & Rajan)

vs.

1. Union of India represented by  
the Secretary,  
Ministry of Communications,  
New Delhi.
2. The General Manager,  
Transmission Project,  
Telecommunication Department,  
Kozhikode.
3. The Divisional Engineer,  
Transmission Project,  
Telecommunication Department,  
Kozhikode.
4. The Sub Divisional Engineer(Telecom)  
Transmission Project,  
Telecommunication Department,  
Kozhikode.

..Respondents

(By Advocate Mr.Varghese P.Thomas, ACGSC)

ORDER

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN:

Applicant challenges A4 order rejecting his request for regularisation. Relying on A5 he submits that as a casual worker recruited before 7.6.1988 and in service on 8.4.1991, he is entitled to be regularised even without the intervention of the Employment Exchange.

2. Additional Standing Counsel appearing for respondents submits that this question should appropriately be considered by second respondent General Manager and not by third respondent who passed the impugned order. Counsel for applicant then sought permission to make a representation before second respondent. Applicant may do so. If a representation is made, second respondent shall consider the same and pass a reasoned order thereon within three months of the date of receipt of the representation. The order passed by him will be communicated to applicant.

3. With these directions, we dispose of the application.  
No costs.

Dated the 23rd February, 1995.

  
S.P.BISWAS  
ADMINISTRATIVE MEMBER

  
CHETTUR SANKARAN NAIR(J)  
VICE CHAIRMAN

njj/22.2

List of Annexures

1. Annexure-A4:- True copy of the order No.DE/TP/KE/E-6/12 dated 2-12-94 of the 3rd respondent to the applicant.
2. Annexure-A5:- True copy of the memorandum No.49914/4/90. Estt.(C) dated 8-4-1991 of the Government of India, Ministry of Personnel, Public Grievance and Pension.