

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O.A. No. 4/91
~~XXXXXX~~

199

DATE OF DECISION 18-1-1991

Smt Mary Joseph Applicant (s)

Mr K Karthikeya Panicker Advocate for the Applicant (s)

Versus

The Govt. of India rep. by the
Secretary to the Ministry of Respondent (s)
Home Affairs, New Delhi and others.

Mr NN Sugunapalan, Sr CGSC Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. NV Krishnan, Administrative Member

The Hon'ble Mr. N Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. To be circulated to all Benches of the Tribunal? No

JUDGEMENT

Mr NV Krishnan, A.M

The applicant is a Computer in the office of the Director of Census Operations, Lakshawdeep, Respondent-3. It is stated that she was appointed as a Primary School Teacher in 1977 and in 1980 her name was sponsored by the Employment Exchange to fill up the vacancies of Computers in the office of Respondent-3. Accordingly, she has been appointed as a Computer from 26.11.80, since which date she is continuing. The applicant's complaint is that more than 10 years have elapsed, ^{but} her services have not been regularised. In this respect, she has filed a representation dated 27.10.89 (Annexure A5) to the Respondent-2, the Registrar General and Census Commissioner of India. It is stated in that representation that despite the services of more than 8 years

put in by her, she has not been regularised. It is also stated that the representation is still pending with the respondent-2.

2 In the circumstances, the applicant has prayed the following reliefs:-

- "(a) to direct the respondents to consider and dispose of Annexure-A5 representation.
- (b) to direct the respondents to regularise the services of the applicant.
- (c) to direct the respondents to give due promotion to the applicant taking into account the entire period of service.
- (d) to declare that the applicant is entitled to be regularised."

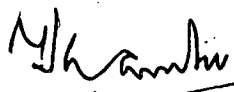
3 When the case came up for admission before the Bench to-day, we wanted the learned counsel for the respondents to make a statement about the representation of the applicant at Annexure A5. The learned counsel for the respondents has brought to our notice the letter dated 16.8.91 addressed to him by the respondent-3 from which it seen that ^{cases of 4} a large number of persons besides the applicant who have been appointed on ad-hoc basis on short term post created for the 1981 Census ^{are pending consideration} It is ⁴ stated that these points were made without following the usual procedure. No decision could be taken so far in regard to the regularisation of the service of the applicant. However, ^{4 for} the ~~question~~ of such regularisation, relaxation is necessary which is now under consideration of the respondents in consultation with the Department of Personnel & Training.

4 In view of this assurance, we are of the view that it would be adequate if this application is finally disposed of with suitable directions to the respondents.

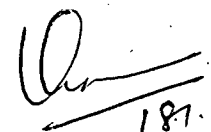
5 Accordingly the application is disposed of with the direction to the Respondents 1 & 2 to consider the representation of the applicant at Annexure-A5 dated 27.10.89 addressed to Respondent-2 and pass final orders thereon within a period of three months from the date of receipt of a copy of this order.

6 There will be no order as to costs.

7 In the circumstances MP 40/91 requires no consideration and it is accordingly dismissed.


(N Dharmadan)
Judicial Member

18.1.91


(NV Krishnan)
Administrative Member

18-1-91