

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 409 of
T. A. No. 1990

DATE OF DECISION 14-1-1992

S. Lathika & 2 others Applicant (s)

M/s K Ramakumar &
VR Ramachandran Nair Advocate for the Applicant (s)

Versus

Union of India & another Respondent (s)

Mrs Sumathi Dandapani Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. SP MUKERJI, VICE CHAIRMAN

&

The Hon'ble Mr. AV HARIDASAN, JUDICIAL MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. To be circulated to all Benches of the Tribunal?

JUDGEMENT

(Mr SP Mukerji, Vice Chairman)

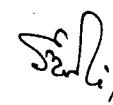
We have heard the learned counsel for the parties on this application in which the 3 applicants have prayed for the following relief:

- "(i) To call for the records leading up to Annexures J.H.I and quash the same.
- (ii) To declare that the applicants are also entitled to be considered for regularisation with reference to the date of their initial engagement in the years 1978-1979.
- (iii) To direct the respondents to immediately absorb the applicants in regular service.
- (iv) To issue such other orders or directions as this Hon'ble Tribunal may deem fit, and proper in the circumstances of the case."

2. The learned counsel for the respondents during the course of the arguments, drew our attention to the Exbt.R2 dated 5.9.1991 in which all the applicants have been absorbed in Group 'D' posts in Traffic and Commercial Departments in the scale of Rs.750-940. The learned counsel further stated that all the applicants are now working in Group 'D' posts. The learned counsel for the respondents clarified that the applicants are not working as Substitutes/Seasonal Water Carriers, but as regular Group 'D' employees. Since the main relief sought by the applicant for immediate absorption in regular service has been met, the other reliefs in the application do not survive.

3. Accordingly, we close this application with liberty ^{if so advised} to the applicants ^{to} _{to} agitate the question of seniority and ^{date of} _{of} regularisation with retrospective effect on the basis of their ^{days of} dates of original appointment and the number of ^{casual service} _{of} in appropriate forum, in accordance with law.


(AV HARIDASAN)
JUDICIAL MEMBER


SP MUKERJI / 14.1.92
(SP MUKERJI)
VICE CHAIRMAN

14-1-1992

trs