

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No.
T.A. No. 44/88

198

DATE OF DECISION 8.8.90

Kamlakar Shankar Bant and ors ~~Petitioners~~ Applicants.

Mr Y.R.K.Singh Advocate for the Petitioner(s)

Versus

Director of Accounts, Postal Respondent

Mr Ramesh Darda, Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. G.Sreedharan Nair, Vice Chairman.

The Hon'ble Mr. I.K.Rasgotra, Member(A).

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. Whether it needs to be circulated to other Benches of the Tribunal? ☒

MGIPRRND-12 CAT/86-3-12-86-15,000

(G.Sreedharan Nair)
Vice Chairman.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : NEW BOMBAY BENCH
NAGPUR

T.R.No.44/88.

Kamlakar Shankar Raut and others (Plaintiffs)
versus Applicants.
Director of Accounts, Postal,
Nagpur ... (Defendant)
Respondent.

P R E S E N T :

The Hon'ble Sri G. Sreedharan Nair, Vice Chairman.

The Hon'ble Sri I.K.Rasgotra, Member(A).

For the (Plaintiffs)-Applicants- Mr Y.R.K.Singh, Advocate

For the respondents - Mr Ramesh Darda, Advocate.

Date of hearing - 6.8.90

Date of Order - 8.8.90.

ORDER :

G.Sreedharan Nair, Vice Chairman :

This relates to Civil Suit No.1367/85 in the Court of the Civil Judge, Senior Division, Nagpur, received on transfer.

2. The plaintiffs allege that during the period 1975-80, they were casual employees under the defendant ^{as} and ^{have} all of them completed 240 days of service, a direction has to be given to the defendant for regularisation of their services in accordance with the Government Order dated 13.10.1983.

3. In the written statement filed by the defendant, it is contended that none of the casual employees including the plaintiffs had fulfilled the conditions of having put in 240 days of service during each of the preceding years and hence their services could not be regularised.


4. It appears that the dispute is with respect to the actual days of service rendered by the plaintiffs.

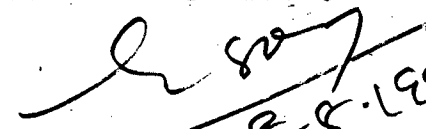
2.

At the time of hearing, counsel of the defendant produced before us a statement in respect of the service particulars of these plaintiffs. As against this, it was stated by the counsel of the plaintiffs that the competent authority himself has issued service certificates which will establish the claim of the plaintiffs.

5. As the allegation of the plaintiffs that they have been on casual engagement under the defendant is not in dispute, we are of the view that interest of justice would be met by the issue of the following directions : It is open to each of the plaintiffs to make separate representations before the defendant indicating therein the actual days on which ^{he was} ~~they were~~ engaged, with supporting evidence in that behalf, ^{and} praying for regularisation on the strength of the same. If such representation is made within a period of one month from the date of receipt of the copy of this order, the defendant shall duly consider the same and dispose it off as expeditiously as possible, at any rate, within a period of three months of the receipt of such representation. It is needless to add that the relevant records in the custody of the defendant to indicate the respective dates of engagement shall be taken into account for such determination.

6. The transferred suit is disposed of as above.


(I.K. Rasgotra)
Member (A)


(G. Sreedharan Nair)
Vice Chairman.

S.P. Singh / 7.8.90.