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O.A. 911/89

Smt. Ramabai Solanki

... Applicant

v/s

Union of India & Ors.

... Respondents.

CORAM : Hon'ble Vice-Chairman, Shri U.C.Srivastava
Hon'ble Member (A), Shri M.Y.Priolkar

Appearances:

Mr. R.A.Gaikwad, Advocate
for the applicant and
Mr. A.I.Bhatkar, Advocate
for the respondents.

ORAL JUDGEMENT:

Dated : 19.8.1991

(Per. U.C.Srivastava, Vice-Chairman)

The applicant who worked for about 17 years as Safai Kamgar wet sweeper (part-time) on daily wages has approached the Tribunal praying that the respondents be directed to regularise her services from 1980 and she be granted compensation or arrears of back wages. Prior to coming to the Tribunal she made a representation in this behalf to her employer but failing to get any relief she approached the Tribunal. The respondents have put-in appearance and filed their written statement in which they have stated that there is no question of regularisation of the applicant as she was worked only as part-time sweeper and they did not require a full-time sweeper and that is why only a part-time sweeper was kept. It was also stated that according to them she has concealed the relevant fact that she was already working in the American Institute with effect from 1967 and the said Institute was paying her benefit with effect from 1973

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including Provident Fund, Gratuity, Reimbursement of medical and education expenses, medical health insurance, leave travel allowance, etc. and the applicant resigned her job on 1.8.1990 on the ground that she has become old. She was paid Provident Fund, Gratuity etc. In view of this the application deserves to be dismissed on the ground of concealment of facts. Even otherwise on merit the application has got no case. She was only a part-time sweeper and was not a regular employee and a part-time employee is not entitled to claim various other benefits including that of regularisation. Accordingly the application has got no merit also which is dismissed. However, we are making it clear that we are making no observation regarding continuance of the applicant as part-time sweeper with the respondents.

M.Y. Priolkar

(M.Y. Priolkar)
Member (A)

U.C. Srivastava

(U.C. Srivastava)
Vice-Chairman