

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT SITTING AT NAGPUR
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6
PREScot ROAD, BOMBAY 1

OA NO. 584/92

Gowardhan D. Uzarbarse

..Applicant

v/s.

Union of India
through Secretary
Min. of Steel & Mines
New Delhi & 2 ors.

..Respondents

Coram: Hon. Shri Justice M S Deshpande, V.C.
Hon. Shri M Y Priolkar, Member (A)

APPEARANCE:

Mr. S R Dongaonkar
Counsel
for the applicant

Mr. R. Darda
Counsel
for the respondents

ORAL JUDGMENT:
(PER: M S Deshpande, Vice Chairman)

DATED: 16.3.93

Heard the counsel. It is apparent from the averments in the reply filed by the respondents that the appointments have to be made from the candidates sponsored by the Employment Exchange and this can be waived only in the case of persons who have been in employment for more than 2 years. The applicant's contention is that he was in continuous employment since 1988 and he relies on the certificate which has been issued by the respondents. The breakup of the service appears in para 4 of the reply which says that the applicant was engaged for 896 days in 1988; 222 days in 1989; 202 days in 1990 and 48 days in 1991 on contingent basis on no work no pay basis. The applicant relies on two decisions of the Supreme Court. But they relate to regularisation of the service of employees who have been continuously in work charged and other establishments. Such is not the position here. With regard to the other appointees Shri Darda submits that none of them are candidates who would fall into the two categories stated above. In the circumstances the grievance of the applicant that he has not been appointed and others have been appointed arbitrarily cannot be accepted. There is no merit in the application and is dismissed summarily.

(M Y Priolkar)
Member (A)

(M S Deshpande)
Vice Chairman