

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

O.A. NO: 634/92

199

~~Tx Ax No~~

DATE OF DECISION 4.9.92

Shri Kishore Narhari Chemburkar Petitioner

Applicant in person

Advocate for the Petitioners

Versus

Sub-Divisional Officer

Respondent

Telegraphs, PEN

Dist. Raigad.

Shri V.S. Masurkar

Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. Justice S.K. Dhaon, Vice Chairman

The Hon'ble Mr. M.Y. Priolkar, 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 ?

(S.K. DHAON)  
VICE CHAIRMAN

mbm\*

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No. 634/92

Shri Kishore Narhari Chemburkar

... Applicant.

V/s.

Sub.Divisional Officer  
Telegraphs, PEN  
Dist. Raigad.

... Respondent.

CORAM: Hon'ble Shri Justice S.K. Dhaon, Vice Chairman

Hon'ble Shri M.Y.Priolkar, Member(A)

Appearance:

Applicant in person.

Shri V.S.Masurkar, counsel  
for the respondent.

JUDGEMENT

Dated: 4.9.92

{ Per Shri S.K. Dhaon, Vice Chairman }

A reply has been filed on behalf of  
respondents. Rejoinder affidavit have also been filed.

The applicant has averred that he has been  
employed as Driver with respondents on a wage of Rs.37/-  
per day and he had been continuously working as a  
Driver from 1.1.89 to 15.2.91. He alleged that he is  
not being permitted to perform his duties.

In the reply it is averred that the applicant  
has not been working continuously from 1.1.89 to 15.2.91.  
He did not completed 240 continuous days in a particular  
year.

On the material of record, we are not in a  
position to record any findings in favour of the  
applicant. We are informed that at the moment there  
is no vacancy in the post of Driver. However, it is  
stated that the applicant can be employed as Casual  
Worker for the time being. We are assured that if the  
applicant joins as Casual Worker and behaves thereafter  
there is a possibility of his being re-employed.

: 2 :

If the applicant joins the respondents as Casual Worker within a period of one week from today, he shall be taken into service, thereafter, he assured that his case will be considered sympathetically and the department will forget his past conduct.

With these directions this application is disposed of finally, but without any order as to costs.

  
(M.Y. PRIOLKAR)  
MEMBER (A)

  
(S.K. DHAON)  
VICE-CHAIRMAN

NS/