

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-38.

Dated: 7 JAN 1994

APPLICATION NO(s) 521 of 1993

APPLICANTS: C.Souder Rajan

RESPONDENTS: Secretary, Ministry of
Finance, N Delhi & Others.

TO.

1. Sri.M.Madhusudan, Advocate,
No.844, Upstairs, Fifth Block,
Rajajinagar, Bangalore-10.
2. Accountant General in Karnataka,
(Accounts & Entitlements),
Bangalore.
3. Sri.G.Shanthappa, Addl. Central
Govt. Stng. Counsel, High Court Bldg,
Bangalore-1.

SUBJECT:- Forwarding of copies of the Orders passed by
the Central Administrative Tribunal, Bangalore.

-xxx-

Please find enclosed herewith a copy of the
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal
in the above mentioned application(s) on 03-12-1993.

S. Sankar
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

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for
Issued
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CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE BENCH

ORIGINAL APPLICATION NUMBER 521 OF 1993

DATED THIS THE 3RD DAY OF DECEMBER, 1993

Mr. Justice P.K. Shyamsundar, .. Vice-Chairman.

And

Mr. V. Ramakrishnan, .. Member(A).

C. Sounder Rajan,
S/o C. Chinnaswamy,
Aged 34 years, resident of
No. 2671, H.A.L.II Stage,
17th Main, IV Cross, Indiranagar,
Bangalore-560 008.

.. Applicant.

(By Advocate M. Madhusudan)

v.

1. The Union of India,
represented by its Secretary,
Ministry of Finance,
New Delhi.

2. Comptroller and Auditor General
of India, No. 10, Bahadursha Zafar Marg,
New Delhi-110 002.

3. The Accountant General in Karnataka,
(Accounts & Entitlement), Bangalore.

4. Accountant General in Karnataka
(Audit-I), Karnataka, Bangalore.

.. Respondents.

(By Standing Counsel Shri G. Shanthappa)

ORDER

Mr. Justice P.K. Shyamsundar, Vice-Chairman:

We have heard both sides at the stage of admission itself. We are satisfied that there is no merit in this application and therefore, we propose to dismiss it in limine for the following reasons. The applicant wants his service in Group-D cadre in the local Accountant General's office be regularised and he is treated as Group-D official from 1-4-1984 when he started working on a temporary basis and continued as such right upto to 1987, after which he took a break and according to him that



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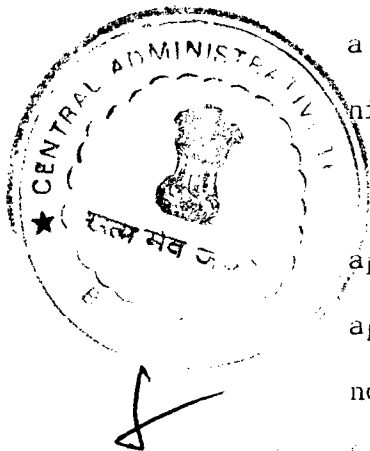
was necessary because he was not well and when he recouped his health went back to the office of the Accountant General on 4-8-1987 to pick the thread but was denied the opportunity of working.

2. He made a series of representations, copies are produced at Annexures A to D, F & G in which the main thrust is that his services should have been regularised and there being no response he has come to us for relief. But, we notice that one of the representation was actually turned down as per Annexure-E dated 8-7-1991. It was pointed out that he did not qualify for regularisation because he had not served the department for a minimum period of 206 days as enjoined by the relevant Scheme. The endorsement at Annexure-E reads -

"With reference to his representation dated 19-10-1990 addressed to the Comptroller and Auditor General of India, New Delhi, Sri C.Sounder Rajan is hereby informed that since he had not served for the minimum period of 206 days in each of the preceding two years as casual labourer, he was not considered for regular appointment as Group-D."

The very endorsement is reiterated in the objection statement. A detailed reference is made to the number of days the applicant had worked all of which indicates that he had not worked for a minimum period of 206 days which would qualify him for staking his claim for regularisation in Group-D category.

3. It is now not denied by the learned counsel for the applicant that the computation of the service rendered by the applicant has been properly computed, with the result he cannot now say that he is duly qualified for regularisation under the Scheme in question and therefore the prayer for regularisation as made in his application is clearly untenable. Since no other ground is raised or urged, we reject this application at the



admission stage itself.

4. But, then learned counsel tells us that even to-day the applicant is prepared to go and accept work as casual labourer with the local Accountant General. We are sure if he goes to the said office and makes the necessary application seeking opportunity to work as a casual labourer, the appropriate authority would respond subject to availability of work. Under the circumstances he would do well to approach the authorities and seek for employment opportunity as aforesaid. No costs.

Sd-

Sd-

MEMBER (A)

VICE-CHAIRMAN.

TRUE COPY

Sr. Shauhar

SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

