

(3)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, BOMBAY BENCH,
CAMP AT NAGPUR.

Original Application No. 290/93

Smt. Parvatibai G. Singh. Applicant.

V/s.

Union of India & One another. Respondents.

Coram: Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman,
Hon'ble Shri M.Y.Priolkar, Member(A).

Appearances:-

Applicants by Shri J.L.Bhoot.

Respondents by Shri R.S.Sundaram.

Oral Judgment:-

(Per Shri M.S.Deshpande, Vice-Chairman) Dt. 21.7.1993.

Heard counsel for the parties. The Respondents have raised two defences while opposing the applicant's prayer for regularisation. One is that she does not answer the educational qualifications required for the post. There is no denial to the fact that the applicant has studied upto 6th standard. In the submissions filed by the Respondents there is no mention as to what are the educational qualification prescribed. Shri Sundaram, the learned counsel was not in a position to enlighten us on educational qualifications required. The applicant has been working since the year 1970 as a part-time employee and we do not think that in the present circumstances the Respondents can take shelter behind the plea with that the applicant does not fulfill the educational qualification.

2. The second contention is that the applicant was not working, but there is no denial of the allegation that the applicant had been continuously working upto 25th June, 1992 and all that Shri Sundaram could say was that she has continued to do the work

only for two hours every day. The instructions dated 8.2.1984 require that the daily wage worker should put in 240 days of service as such, including broken period of service during each of the two preceding years (4 years) and in the case of part-time worker in the date of appointment against the regular group 'D' post. Even this requirement of eligibility is ~~specified~~ ^{Satisfied} specified by the applicant. In the circumstances, we direct the Respondents to reinstate the applicant within one month with continuity in service ~~with her wage rates and other arrangements~~ ^{W.S.} and regularise her services as per the relevant instructions. No order as to costs.


(M.Y.PRIOLKAR)
MEMBER(A)


(M.S.DESHPANDE)
VICE-CHAIRMAN

B.