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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

JAIPUR

OA No.314/1996

Date of order: 9-12-1996

Suresh Kumar Meena S/o Shri Bajrang Lal Meena, aged 31 years, resident of Dukan 1, Bus Stand Pilani, Distt. Jhunjhunu.

.. Applicant

Versus

1. Union of India through Secretary, Ministry of Communications, Department of Telecommunication, Sanchar Bhawan, New Delhi.
2. The Chief General Manager, Telecommunications, Sardar Patel Marg, Jaipur.
3. District Telecom Engineer, Kisan Colony, Jhunjhunu.

.. Respondents.

Mr. Balvinder Singh, counsel for the applicant

CORAM:

Hon'ble Mr. O.P.Sharma, Administrative Member

Hon'ble Mr. Patan Prakash, Judicial Member

ORDER

Per Hon'ble Mr. O.P.Sharma, Administrative Member

In this application under Section 19 of the Administrative Tribunals Act, 1985, Shri Suresh Kumar Meena has sought a declaration that the action of the respondents in not conferring the benefit of the status of regular Driver on the applicant may be declared to be illegal, arbitrary etc. and against the relevant provision of the Constitution. He has also sought a direction to the respondents to provide the applicant with the job of Driver on permanent basis with retrospective effect with all consequential benefits.

2. The case of the applicant is that he was appointed as a Motor Vehicle Driver by SDO, Telegraphs,




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Pilani vide order dated 15.4.85 on temporary daily wage basis (Ann.A1). His appointment was against a clear-cut vacancy. The applicant's name was sponsored by the Employment Exchange before he was appointed as Driver. No regular appointment on the post of Driver has yet been made. The applicant is fully qualified to hold the post of Driver. He has been working in the Department for more than 9 years. The Deputy Divisional Officer has recommended the name of the applicant for the post of Driver (Ann.A2). Still, however, has not been given appointment on the post of Driver on regular basis.

3. The applicant has also filed a Misc. Application with which he has submitted a copy of his representation dated 25-6-95 to the Deputy Divisional Officer (Telegraphs), Pilani seeking regularisation in the post of Driver. According to him, no decision has been taken on his representation so far. The learned counsel for the applicant prayed that, at this stage, the applicant only wants his representation seeking regularisation on the post of Driver be considered and disposed of on merits.

4. In the circumstances, after hearing the learned counsel for the applicant, we direct respondent No.3, the District Telecom Engineer, Jhunjhunu to dispose of the applicant's representation dated 25-6-95, annexed to his MA No. 532/96, on merits within a period of two months from the date of receipt of a copy of this order. Let a copy of the MA alongwith annexure thereto be sent to respondents No.3 for necessary action.

5. The OA stands disposed of at the stage of admission. The MA also stands disposed of accordingly.


(Ratan Prakash)
Judicial Member


(O.P.Sharma)
Administrative Member