

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR  
O.A.No.73/2000

Date of order: 26.3.2002

Habib Khan, S/o Sh.Abdul Gaffar, R/o Rly.Qtr.No.947/  
B, New Colony, Kota, working as Driver Gr.III.

...Applicant.

Vs.

1. Union of India through General Manager, W.Rly, Churchgate, Mumbai.
2. Divisional Railway Manager (E), W.Rly, Kota Division Kota.
3. Chief Administrative Officer (Const.) Churchgate, W.Rly, Mumbai.

...Respondents.

Mr.C.B.Sharma : Counsel for applicant

Mr.Manish Bhandari : Counsel for respondents.

CORAM:

Hon'ble Mr.S.K.Agarwal, Judicial Member.

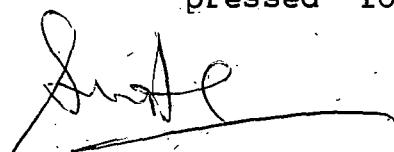
Hon'ble Mr.A.P.Nagrath, Administrative Member.

PER HON'BLE MR S.K.AGARWAL, JUDICIAL MEMBER.

In this O.A filed under Sec.19 of the ATs Act, 1985, the applicant makes a prayer to direct the respondents to consider him for regularisation on the post of Driver in Group-C in the scale Rs.3050-4500 with all consequential benefits.

2. Admittedly, the applicant was appointed as Casual Driver Group-C in the year 1973 in Survey and Construction Department. He was screened and regularised on the post of Khallasi w.e.f. 13.2.80 but he continued to work on the post of Driver.

3. The learned counsel for the applicant has only pressed for the prayer for protection of pay of the



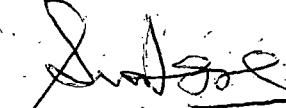
applicant on the date of his regularisation which he was drawing at the time of his regularisation on Group-D post and he does not press for the other reliefs.

4. In view of the law laid down in Aslam Khan's case decided by the Full Bench of this Tribunal, the applicant is entitled to the relief of protection of his pay which he was drawing on the date of his regularisation on Group-D post.

5. We, therefore, allow this O.A partly and direct the respondents to protect the pay of the applicant which he was drawing on the date of his regularisation on Group-D post. No order as to costs.

  
(A.P.Nagrath)

Member (A).

  
(S.K.Agarwal)

Member (J).