

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

Chandigarh, this the 14th day of December, 2015

Review Application No.060/00082/2015

OA No. 060/00723/14

Mohinder Singh & Ors.

.....Review Applicants

VERSUS

UT Chandigarh and Ors.

.....Respondents

ORDER (in circulation)

HON'BLE MRS. RAJWANT SANDHU, MEMBER(A):-

1. This RA has been filed under Section 22 (3) (f) of Administrative Tribunals Act, 1985 read with Order 47 Rule 1 CPC for review of order dated 14.09.2015 (Annexure RA-1) passed in OA No. 060/00723/2014.

2. In the grounds for relief, reference has mainly been made to the judgements in **UP State Electricity Board Vs. Poonam Chandra Pandey and Ors., 2007(4) SCT 622, Nihal Singh & Other Vs. State of Punjab, 2013(4) SCT 469 and Maninder Kaur Vs. State of Punjab, 2003(3) SCT 655** to press that daily wage workers who have been serving for long period of time, are entitled to regularization of their services and non-availability of sanctioned regular posts/vacancies is no ground to deny such right to the workers.

12 ———.

3. We have carefully perused the order dated 14.9.2015 that is the subject of review in this RA, the operative portion whereof reads as follows:-

"12. Creation of posts is a matter within the domain of the executive and since the number of such posts required for the regularization of the daily wagers/work charged employees working with the Chandigarh Administration/Municipal Corporation is quite large, we do not consider it appropriate to issue any direction regarding creation of these posts for regularization of the persons who are claiming regularization. However, as and when vacancies arise, the Chandigarh Administration is required to regularize the services of the daily wagers/work charged employees who are on deemed deputation as per their seniority on the basis of the combined seniority list that is maintained in respect of such employees by the Chandigarh Administration and Municipal Corporation. The benefits of regularization and pensionary entitlement will be governed by the directions of the Apex Court in Sampat & Ors. (supra).

13. The OA is disposed of accordingly."

5. The judgements cited by the applicant in the RA had already been considered while deciding the OA. And now, the applicant in the RA cannot seek review of the order dated 14.09.2015 citing the very same judgements. Hence, there being no merit in the RA, the same is rejected.

As ———

(RAJWANT SANDHU)
MEMBER (A)

B. A. Agarwal

(DR. BRAHM A. AGRAWAL)
MEMBER (J)

Dated: December 14th, 2015
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