

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

**O.A.NO. 060/01234/2018     Date of order:- 22.10.2018**

Coram: **Hon'ble Mr. Sanjeev Kaushik, Member (J)**  
**Hon'ble Mrs.Ajanta Dayalan, Member (A).**

Vijay Kumar s/o Sh. Parkash Ram, working as Stenographer (ad hoc basis), o/o National Commission for Scheduled Castes & Scheduled Tribes, Sector 9, Chandigarh-160009.

.....Applicant.

( By Advocate :- Mr. D.R.Sharma)

Versus

1. Union of India through Secretary to Government of India, Ministry of Social Justice & Empowerment, Lok Nayak Bhawan (5<sup>th</sup> floor), Khan Market, New Delhi-110003.
2. Director, National Commission for Scheduled Castes & Scheduled Tribes, Sector 9-A, Chandigarh-160009.

...Respondents

**O R D E R (Oral).**

**Sanjeev Kaushik, Member (J):**

Present OA has been filed by the applicant for issuance of direction to the respondents to regularize his service as Stenographer with effect from 10.4.2006 when he had completed more than ten years service.

2.            Shri Sharma argues that the applicant was appointed after positive selection, though on ad hoc basis, but he is continuing as such till date. The applicant made various representations based upon various judicial pronouncements, to consider and regularize his services, but to no avail. Shri Sharma also submitted that similar

issue arose before the jurisdictional High Court in the case of **Vandana & Ors.** versus **Union of India & Ors.** ( Annexure A-22) decided on August 30, 2011, wherein the directions were issued to the respondents to consider the case of the petitioners therein for regularization considering their long service with the authorities. He also placed reliance on an order dated 21.11.2016 passed by the Tribunal in the case of **Dharminder Kumar vs. Union of India & Another** (O.A.No.060/00746/ 2015) ( Annexure A-23). He further submits that the applicant is now 46 years of age and is working with the respondent department since 1996, let a direction be issued to the respondents to consider his claim in the light of the judgments relied upon by him as his initial appointment was recommended through Employment Exchange. He also submitted that the case of the applicant was also recommended by the competent authority, but the respondents have not taken a call to decide his claim. His last representation is dated 1.9.2016, which has also not been answered by the respondents till date.

3. We are not issuing any notice to the respondents as there is no order by the department either accepting or rejecting the claim of the applicant. Therefore, we direct the applicant to submit a fresh representation to the respondents within seven days from the date of receipt of certified copy of this order. On receipt of the representation, the respondents are directed to consider the same by passing a reasoned and speaking order, in accordance with law, within a period of two months thereafter. Order so passed be duly communicated to the applicant.

4. Needless to mention that the disposal of the OA in the requested manner may not be construed, as an expression of any opinion on merits of the case.

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

**(AJANTA DAYALAN)**  
**MEMBER (A).**

Dated:- 22.10. 2018.

Kks

