

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00671/2018

Chandigarh, this the 5th day of February, 2019

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**CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MS. P. GOPINATH, MEMBER (A)**

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1. Thangavel, Age 55 years, S/o Sh. Karuppan, working as Daily Wage Beldar, O/o Sub-Divisional Engineer Road Sub Division No. 5, MC Chandigarh, R/o # 131, Mouli Jagran, Vikas Nagar, Pocket 4, U.T. Chandigarh, Group D
2. Mardamma @ Marudhamba, Age 52 years, D/o Sh. Manikkam, working as Daily Wage Beldar, O/o Sub Divisional engineer Road Sub Division No. 5, MC Chandigarh, R/o #131 Mouli Jagran, Vikas Nagar, Pocket 4, U.T. Chandigarh. Group D

Applicants

(Present: Mr. Barjesh Mittal, Advocate)

Versus

1. Union Territory, Chandigarh Administration, through its Secretary, Department of Engineering, U.T. Civil Secretariat, Sector 9, Chandigarh.
2. Chief Engineer, Union Territory, Chandigarh Administration Engineering Department, U.T. Civil Secretariat, Sector 9, Chandigarh.
3. Commissioner, Municipal Corporation, Chandigarh, New Deluxe Building, Sector 17, Chandigarh.
4. Chief Engineer, Municipal Corporation, Chandigarh, New Deluxe Building, Sector 17, Chandigarh.
5. Executive Engineer, Road Division No. 2, New Deluxe Building, Sector 17, Chandigarh.

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Respondents

**(Present: Mr. Gagandeep Singh Chhina, Advocate, for
Respondents No. 1 and 2**

**Mr. Arvind Moudgil, Advocate for Respondents No.3
& 4)**

ORDER (Oral)
SANJEEV KAUSHIK, MEMBER (J)

1. On the commencement of hearing, Mr. Barjesh Mittal, learned counsel for the applicants submitted that an identical matter came up for hearing before the Jurisdictional High Court in CWP No. 2841 of 2016 (O&M) titled **Mohinder Singh and Others Vs. Union Territory, Chandigarh and Others**, which has been decided on 19.11.2018 with a direction to the Municipal Corporation, Chandigarh/Chandigarh Administration to take up the matter with the Government of India for creation of posts within a period of six months, and in case, the decision is not taken within the stipulated period, taking into consideration the length of service of the petitioners, they shall be deemed to be regularized with all consequential benefits. Learned counsel prayed that this matter being identical one may be disposed of in the same terms.
2. Learned counsel for the respondents did not object to the disposal of the case in the above terms.
3. Accordingly, the O.A. is disposed of in terms of order dated 19.11.2018 in the Case of Mohinder Singh (supra) passed by the Hon'ble High Court, the operative part of which is extracted hereunder:-

“Accordingly the present writ petition is disposed of with a direction to the Municipal Corporation, Chandigarh/Chandigarh Administration to take up the matter with the Government of India for creation of posts within a period of six month from today.

It is made clear that in case the decision is not taken within the stipulated period as ordered hereinabove, taking into consideration the length of service of the petitioners, they shall be deemed to be regularized with all consequential benefits.”

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 05.02.2019

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