

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

**CP No.060/00012/2018 in
O.A.NO.060/0568/2015 Date of order:- 11.3.2019.**

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

Harinder Yadav s/o Sh. Lalita Yadav, working as Daily wager (casual workman) at Military Farm, Ambala Cantt.

.....Applicant.

(By Advocate :- Mr. Rohit Seth)

Versus

1. Sanjay Mitra, IAS, Secretary to Government of India, Ministry of Defence, 101-A, South Block, New Delhi.
2. Sudhir Kashap, Deputy Director General, Military Farms, Army Headquarter, R.K.Puram, New Delhi.
3. Pardeep Kumar Bahuguna, Director, Military Farms, Headquarter, Western Command, Chandi Mandir.

...Respondents

(By Advocate : Mr. K.K.Thakur).

O R D E R (Oral).

Sanjeev Kaushik, Member (J):

Present contempt petition has been filed alleging non-compliance of order dated 21.11.2017 (Annexure CP-1).

2. Pursuant to notice, respondents appeared and have filed reply by rejecting the claim of the petitioner on merit vide order dated 7.3.2018. Mr. Rohit Seth, learned counsel for the petitioner

vehemently argued that the grounds which the respondents have now taken in the order has already been turned down in the earlier round of litigation. He submitted that the case of the applicant is similar to that of **Pawan Kumar** versus **Union of India & Ors.** (O.A.No.1626/HR/2013) decided on 9.2.2016 in whose case the respondents have accepted the order of this court and the service of Pawan Kumar has been regularized, therefore, the respondents have to treat the present petitioner in the same terms. He also produced the internal communication of the respondents where the case of the present petitioner for favourable consideration in terms of Pawan Kumar's case was sent, but the same was negated by the Ministry of DOPT and the writ petition was filed before the High Court of Punjab & Haryana, which too was withdrawn vide order dated 17.4.2018.

3. Learned counsel representing the respondents apprised that this Court has already disposed of O.A.No.60/1129/2017 (**Munni Lal & Ors.** Versus **Union of India & Ors.**) decided on 18.2.2019, wherein direction was given to the respondents to consider the claim of the eligible persons in terms of seniority list and any other subsequent seniority list against 64 sanctioned posts in terms of letter dated 16.1.2015 for regularization of services. Therefore, he submits that once direction has already been given by this Court for considering the cases of the eligible persons for regularization against 64 sanctioned posts, therefore, the case of the present petitioner can be considered if he, otherwise, comes within the zone of consideration.

4. Considering the above, once the respondents have already passed the order rejecting the claim of the present petitioner, therefore, we are satisfied that the order of this Court has been complied with. However, the case of the present petitioner can be considered, if he is otherwise eligible. Notice issued to the respondents is hereby discharged.

5. Accordingly, all MAs also stand disposed of.



Dated:- 11.3.2019.

Kks