

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH: HYDERABAD**

**Original Application No. 21/214/2019**

**Date of Order: 04.03.2019**

Between:

P. Vijaya, D/o. Devaiah,  
Age about 38 years, Occ: Peon Post, Gr. 'C',  
TSW Employee, R/o. H. No. 2-2-185/24/4,  
Mallikarjuna Nagar, Hyderabad TS.

... Applicant

And

1. The Assistant Director,  
Commercial Board Casting Services,  
All India Radio Station, Opp. Assembly Legislative,  
Nampally, Hyderabad – TS.
2. The Deputy Director,  
Head Zonal Engineer, All India Radio Station,  
Opp. Assembly Legislative,  
Nampally, Hyderabad – TS.
3. Union of India, Rep. by  
The Director General,  
All India Radio Station, Akashvani Bhavan,  
Parliament Street, New Delhi – 110 001, India.
4. Union of India, Rep. by  
The Director General,  
Kind Attn.  
Deputy Director Admin Bhavan,  
Parliament Street, New Delhi – 110 001, India.
5. The Addl. Director General,  
South Zone All India Radio, Milapur,  
Chennai – 600 004, South India.

... Respondents

Counsel for the Applicant ... Mr. P. Sudhakar Rao

Counsel for the Respondents ... Mr. D. Madhava Reddy for  
Mr. A. Radhakrishna, Sr. PC for CG

***CORAM:***

***Hon'ble Mr. B.V. Sudhakar*** ... ***Member (Admn.)***

***ORAL ORDER***  
***{As per Hon'ble Mr. B.V. Sudhakar, Member (Admn.) }***

2. The OA is filed seeking to reinstate the applicant to the post of Peon and regularise her services in the respondents organisation.

3. Brief facts of the case as stated in the OA, are that the applicant joined as Casual Labourer in the respondents organisation on 28.8.2009. 3<sup>rd</sup> respondent vide letter dt. 2.5.2012 has ordered regularisation of casual labourers. Compliance report on the same was sought by the 3<sup>rd</sup> respondent vide lr. dt. 5.6.2012. Applicant worked from 2009 till 2018. As the applicant worked continuously for 240 days in a year, she is entitled for regularisation. Instead of doing so, 1<sup>st</sup> and 2<sup>nd</sup> respondents have retrenched her services without giving notice. Applicant has represented on 16.4.2018 and 10.9.2018 to reinstate and regularise her services but there was no response. Aggrieved over the same OA is filed.

4. The contentions of the applicant are that she worked continuously for 240 days in a year from 2009 till 2018 before her retrenchment and therefore, she is eligible for regularisation as per orders of the 3<sup>rd</sup> respondent. Instead of regularising her services, respondents have engaged a contractor to provide services of casual nature. Respondents have also given an assurance to the Parliament on 14.2.2013 that they will not engage outsourced employees and contract employees. Therefore, respondents are acting against the assurance given to the Parliament. Applicant quoted office orders and other references dt. 4.2.2016, 10.10.2012, 2.5.2012 and 5.6.2012 to further her case.

5. Heard both the counsel. Learned counsel for the applicant has prayed that the respondents be directed to dispose of the representations made on 16.4.2018

and 10.9.2018. Learned counsel for the respondents though initially stated that a counter will be filed, but later agreed for disposal of the OA with a direction to the respondents to dispose of the representations.

6. The issue is about removal from service of the applicant without notice. Applicant asserts that she has worked in the respondents organisation from 2009 onwards till 2018 fulfilling the norm of working continuously for 240 days in a year. Therefore applicant claims that she has to be reinstated and her services have to be regularised. To support her assertion, applicant has referred to certain orders and references of the respondents which, she claims, are in her favour. Based on the said orders/references applicant represented on 16.4.2018/10.9.2018 but were not attended to by the respondents. Therefore as prayed by the learned counsel for the applicant and agreed to by the learned respondents counsel, it would suffice at this stage, if the OA along with the representations are examined in the light of extant instructions on the subject and disposed. Hence, the respondents are accordingly directed to treat the OA and the material papers filed therewith as applicant's representation and dispose of the same along with the other representations cited, keeping in view the relevant rules and regulations, by passing a speaking and reasoned order, within a period of 60 days from the date of receipt of this order.

7. With the above direction, the OA is disposed of at the stage of admission. There shall be no order as to costs.

**(B.V. SUDHAKAR)  
MEMBER (ADMN.)**

Dated, the 4<sup>th</sup> day of March, 2019

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