

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00067/2016

Dated Monday the 11th day of February Two Thousand Eighteen

**CORAM: HON'BLE MR. R. RAMANUJAM, Member (A)
HON'BLE MR. P. MADHAVAN, Member (J)**

V.Arul Kumar,
No. 17, 7th Street,
Semathamman Nagar,
3rd Sector, Koyambedu, Chennai 600107.

....Applicant

By Advocate M/s. R. Malaichamy

Vs

- 1.Union of India,
rep by the Director General of Supplies and Disposals,
Jeevan Tara Building,
No. 5, Parliament Street,
New Delhi 110001.
- 2.The Deputy Director General of Supplies and Disposals,
Jeevan Tara Building,
No. 5, Parliament Street,
New Delhi 110001.
- 3.The Director (S&B),
Ministry of Commerce and Industry,
Department of Commerce (Supply Division),
Shastri Bhavan,
No. 26, Haddows Road,
Chennai 600006.
- 4.The Manager/Accountant,
DS & D Departmental Canteen,
Department of Commerce (Supply Division),
Shastri Bhavan, 1st Floor,
No. 26, Haddows Road,
Chennai 600006.

....Respondents

By Advocate Mr. M. T. Arunan

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

Heard. The applicant has filed this OA seeking the following reliefs :

"i. To call for the records of the 4th respondent pertaining to his order made in No. CHE/EST/CANTEEN/Misc./2015 dated 10.09.2015 and set aside the same, consequent to,

ii. direct the Respondents to reinstate the applicant into service and regularize his service on permanent basis at par with K.Sheriff Basha either in the 4th respondent Canteen or in the Department of the respondents 1 to 3 with all service benefits and

iii. To pass such further or other orders as this Hon'ble Tribunal may deem fit and proper with cost."

2. It is submitted that the applicant had worked in the 2nd respondent departmental canteen as a daily wage worker at different points of time. His grievance was that whereas one similarly placed person Sheriff Basha though initially senior to the applicant but lost his seniority due to travel abroad for two years and the consequent absence had been regularised, the applicant was informed by Annexure A3 communication dt. 10.09.2015 that his services were only utilised earlier as a daily wage casual worker at different times/different spells. Taking into account the present workload prevailing in the canteen, it has been decided to stop utilising the services of the daily wage casual labourers.

3. The applicant made Annexure A4 representation dt. 07.09.2015 which was not considered. Accordingly, the applicant would be satisfied if he is permitted to make one more comprehensive representation seeking regularisation which the authorities may be directed to consider along with Annexure A4

representation for action as appropriate in accordance with law, it is urged.

4. Keeping in view the limited relief sought and without going into the substantive merits of the case, the applicant is permitted to make a comprehensive representation regarding his grievance to the competent authority within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the same shall be considered along with Annexure A4 representation dt. 11.09.2015 in accordance with law and judicial precedents relied upon, if any and a reasoned and speaking order passed thereon within a period of three months thereafter.

5. OA is disposed of.

(P. Madhavan)
Member(J)

(R. Ramanujam)
Member(A)

11.02.2019

SKSI