

(1)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 1937/2003

This the 11th day of May, 2004

HON'BLE SH. V.K. MAJOTRA, VICE CHAIRMAN (A)
HON'BLE SH. KULDIP SINGH, MEMBER (J)

Sh. Ram Avtar
Quarter No.5, G.F.,
Stand Staff Quarters,
CPWD, CGO Complex,
Lodhi Road, New Delhi.

(By Advocate: Ms. Naina)

Versus

1. Secretary,
Ministry of Urban Development
and Poverty Alleviation,
Nirman Bhawan,
New Delhi.
2. The Director General (Works),
CPWD, Nirman Bhawan,
New Delhi.
3. Executive Engineer
"U" Division,
CPWD, Nirman Bhawan,
New Delhi.

(By Advocate: Sh. D.S. Mahendru)

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

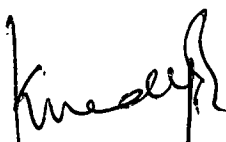
Applicant has challenged Annexure A-1 dated 29.4.2003 whereby applicant's claim for regularisation as Motor Lorry Driver (MLD) has been rejected by the respondents primarily on two ground that applicant has not qualified the trade test and secondly that there is a ban on recruitment on the post of MLD.

2. On this subject learned counsel for applicant has referred to an earlier judgment given by this Tribunal on 22.11.2002 in OA-981/2002 wherein also the controversy of ban was raised and Tribunal vide OA-1138/97 decided by Chandigarh Bench that controversy with regard to ban has been considered and

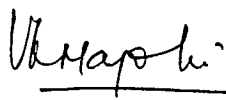


directions for regularisation against the post of MLD was issued by waiving the condition of sponsorship through Employment Exchange. So relying on this judgment and following the same judgment we also direct the respondents to consider the case of the applicant and also hold another trade test by ignoring the ban.

3. OA is allowed in these terms.


(KULDIP SINGH)
Member (J)

'sd'


(V.K. MAJOTRA)
Vice Chairman (A)

11.5.04