

X

Central Administrative Tribunal  
Principal Bench

OA No.3005/2003

New Delhi this the 20th day of May, 2004

Hon'ble Shri Shanker Raju, Member (J)

Shri Hari Dass S/o Shri Angnoo  
House No. 63, Maswari Mohalla,  
Kaseru Khera, Meerut.

-Applicant

(By Advocate: Shri V.P.S. Tyagi)

Versus

1. The Union of India (Through Secretary)  
Ministry of Defence South Block, New Delhi.
2. The Director General (Supply and Transport)  
QMG's Branch AHQ DHQ P.O. New Delhi.
3. The Adjutant General  
General Staff Branch (CIV)  
AHQ DHQ P.O. New Delhi.
4. The Controller General of Defence Accounts  
West Block-V, R.K. Puram,  
New Delhi.
5. The Chief CDA (Pensions)  
Dropadi Ghat,  
Allahabad (U.P.).
6. The CDA (Army)  
Balvedier Complex, Meerut.
7. The Commanding Officer  
40, Supply Coy ASC, Type "D"  
Meerut Cantt.

-Respondents

(By Advocate: Shri Ashish Nischal, proxy for  
Shri Rajinder Nischal)

ORDER (Oral)

Heard the parties.

2. Applicant was appointed as casual labourer on 8.2.1963. Though he was granted temporary status on 15.9.1994, he has yet to be regularised. In the light of Para-8 of DOPT Scheme of 10.9.1993 relaxation of qualification of a person can be considered for a

post for which the minimum qualification cannot be adhered to. In this view of the matter, keeping in view the fact that applicant is attaining the age of 60 years if he is not regularised would be deprived of his pensionary benefits for his services rendered for almost 40 years.

3. In this view of the matter, respondents are directed to consider the applicant for regularisation against next available Group "D" vacancy as per his qualification keeping in view his right to receive the retiral benefits. OA stands disposed of. No costs.

S. Raju  
(Shanker Raju)  
Member (J)

cc.