

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3623 of 2014

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Arun Kumar Choudhary Son Of Sri Nand Kishore Choudhary Resident Of Village -
Tarasari, P.S. - Darbhanga Sadar, District - Darbhanga

.... Petitioner

Versus

1. The Union Of India Through The Secretary, Department Of Telecommunication,
Ministry Of Communication And Information Technology, Sanchar Bhawan, 20
Ashoka Road, New Delhi - 1
2. The CMD, BSNL, Statement House, Barakhambha Road, New Delhi - 1
3. The Chief General Manager, BSNL, Bihar Circle, Patna
4. The General Manager, BSNL, Darbhanga
5. The DGM (A & P) /DGM(F), O/o GMTD, Darbhanga
6. The D E (Admin), O/o The GMTD, Darbhanga

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Alok Kumar @ Alok Kumar Shashi
For the Respondent/s : Mr. Ravinder Kumar Sharma, CGC.

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

And

HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 26-02-2016

The challenge in the present petition is to an order passed by the
Central Administrative Tribunal, Patna Bench ,Patna, in O.A. No. 421 of 2011
on 31st of December, 2013, whereby an Original Application filed by the
petitioner under Section 19 of the Administrative Tribunal Act, 1985, was
dismissed.

2.The petitioner has claimed for regularization of his services on
the ground that he has completed for more that 240 days of continuous service
in each year. The claim of the petitioner is based upon the Scheme circulated
on 12th February, 1999, which, inter alia, reads as under:

“(i) He should be on roll as on

01.08.1998 and shall be working thereafter continuously.

(ii) Break period should have been condoned by the competent authority.

(iii) He/She should have completed 240 days attendance in a year

(iv) He/She should have completed 10 years of service as on 31.03.1997”

2. As per the petitioner, he was engaged, for the first time, in December, 1996 as a casual Motor Driver. Therefore, the petitioner does not satisfy the condition No.(iv) of having completed 10 years of service as on 31st of March, 1997.

3. In view of the said fact, we do not find any error in the order passed by the Central Administrative Tribunal, which warrants interference in the present writ petition.

4. The writ petition is, accordingly, dismissed.

(Hemant Gupta, J)

B.K.Roy/-

(Navaniti Prasad Singh, J)

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