

WRIT PETITION NO. 3635 of 2025

Versus

Mr. Saurabh Chaudhari, Advocate for petitioners.

DATE :- 14th JULY, 2025

Heard Mr. Chaudhari, learned counsel appearing for the petitioners.

2. The Union of India has questioned the judgment and order dated 25.08.2023 passed by the Central Administrative Tribunal (for short, 'the Tribunal') whereby the Tribunal has directed the petitioners to regularize the services of the respondents-employees who have completed ten years continuous service.

3. It appears that the aforesaid directions are based on the Apex Court judgment in the matter of *Secretary, State of Karnataka vs. Uma Devi and others* reported in *[(2006) 4 SCC 1]*.

4. Apart from the above, the fact remains that the position of vacancies was brought before the Tribunal and the Tribunal in clear terms has dealt with the same in paragraph no.10 of the order under challenge.

5. With the assistance of Mr. Chaudhari, learned counsel, we have perused the chart depicting the defence of each employee in regard to the Service Rules and the order of permanency/regularization. In

paragraph no.10 of the order of the Tribunal, the position as regards the vacancies in each year of employees is not disputed by the petitioner-Union of India.

6. We are unable to agree with the contention of learned counsel Mr. Chaudhari as it is borne out of the record that each employee has already completed continuous 10 years service. Apart from above, there are admittedly vacancies available with the petitioners and as such, there is no reason for the petitioners to deny the claim by not regularizing the services of the respondents-employees on factually incorrect grounds.

7. Be that as it may, the impugned order of the Tribunal was passed way back in 2023 and much water has flown thereafter, viz. addition in the existing vacancies.

8. For the reasons recorded hereinabove, we see no illegality in passing of the impugned order by the Tribunal. In our opinion, the petition lacks merit and it stands dismissed. No order as to costs.

(SACHIN S. DESHMUKH, J.)

(NITIN W. SAMBRE, J.)

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