



CWP-23836-2015 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-23836-2015 (O&M)

Date of Decision: 11.02.2025

Shambhu Ram

..... Petitioner

Versus

Bharat Sanchar Nigam Limited and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTAPresent: Mr. Sanjiv Gupta, Advocate with
Mr. Naveen Jhajholia, Advocate
for the petitioner.Mr. Deepak Goyat, Advocate, for
Mr. Ashwani Talwar, Advocate
for respondents No.1 and 2.

SANJEEV PRAKASH SHARMA, J (ORAL)

1. Challenge in this writ petition is to the order dated 08.08.2014 passed by the Central Administrative Tribunal, Chandigarh (in short referred to as 'CAT'), whereby, the OA filed by the petitioner was rejected, by the Central Administrative Tribunal.

2. Learned counsel for the petitioner submits that learned CAT vide its order dated 08.08.2014 has wrongly rejected his OA and the petitioner was entitled to the same treatment as granted to respondent No.3. He further submits that the petitioner was appointed earlier than respondent No.3, however, respondent No.3 was given temporary status w.e.f. 17.10.1994 but the petitioner was not given the said status and was only regularized as Mazdoor on

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24.10.2001. He was treated as a full time casual labourer as per the Department orders and not granted the temporary status of Mazdoor TSM. Learned counsel submits that CAT has failed to take notice of the petitioner being senior to respondent No.3 who was working initially as a part time Sweeper while the petitioner was working as a part time Peon.

3. We have considered the submissions and carefully perused the documents on record.

4. The petitioner was appointed as a part time Peon in the office of Sub Divisional Officer, Telegraph on 16.10.1989. His status was converted into full time casual labourer in terms of the letter dated 25.08.2000 and was further regularized as a regular Mazdoor w.e.f. 01.10.2000. It is contended that respondent No.3 was appointed as a part time Safai Sevaka in the office of Assistant Superintendent, Telegraph on 28.09.1990 and she was granted the benefit of temporary status of Mazdoor on 17.10.1994.

5. The grievance raised by the petitioner is found to be baseless as learned counsel submits that the petitioner should be given the similar status as that of respondent No.3. Firstly, we noticed that respondent No.3 was appointed in a separate office on a different post. It is not the case of the petitioner that any other part time Peon was given the temporary status of Mazdoor TSM from an early date. Further, we noticed that the orders were passed in favour of respondent No.3 in terms of the directions issued by the CAT in OA-1079/PB/1993. Thus, it appears that respondent No.3 had approached the CAT at that relevant time and directions have been issued in her favour. So far as regularization is concerned, both the petitioner as well as respondent No.3 have been regularized as Mazdoor on the same date i.e. 24.10.2001 and therefore, for the earlier period, the claim of the petitioner after

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having been regularized, would be completely academic. Moreover, granting of temporary status to respondent No.3 is of the year 1994 while the OA was filed on 08.08.2014. It was filed in 2012 and therefore, we find that the claim is also highly belated.

6. In view thereto, the entire basis of challenge is found to be misconceived. The order passed by the Central Administrative Tribunal does not warrant any interference and accordingly, the instant petition is dismissed.

7. The pending misc. application, if any, shall stand disposed of accordingly.

(SANJEEV PRAKASH SHARMA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

11.02.2025*D.Bansal*

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No