

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 899/2002

JK

This the 26th day of March, 2003

HON'BLE SH. KULDIP SINGH, MEMBER (J)

Ms. Suman
W/o Mr. Jai Prakash
H. No. 681, Gali No. 8,
East Gokulpuri,
Amar Colony,
New Delhi.
V. & P. Nistauli
Distt. Ghaziabad U.P.
(By Advocate: Sh. M. J. Nasir)

Versus

1. Union of India
Through the Director,
Directorate of Economics & Statistics,
Shastri Bhawan,
New Delhi.
2. The Section Officer (E-10,
Directorate of Economics & Statistics,
Government of India,
Krishi Bhawan,
New Delhi.
(By Advocate: Sh. Neeraj Goyal proxy for
Sh. Adish C. Aggarwal)

ORDER (ORAL)

Applicant was engaged as casual labour during summer season for filling water coolers for a specified period of 5 months. Thereafter her service was discontinued before the expiry of the said period. She filed an OA-1972/97 which was allowed with the direction to the respondents to consider re-engaging the applicants in preference to juniors and outsiders, subject to availability of work in accordance with rules and instructions.

2. Thereafter the CP was also filed but somehow the CP was dismissed. However, an observation was made in the CP that applicant should make a representation to the respondents and respondents shall consider the applicant's case in accordance with rules and instructions on the subject.

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3. Thereafter applicant made a representation dated 27.2.2001 and the case of the applicant was reconsidered. However, subsequent to that the respondents adopted a policy not to engage any person on casual basis for filling up of water coolers rather they have given this work to a contractor. So no person is performing the duties which the applicant was performing.

4. Counsel appearing for the respondents submits that even for this year the department has adopted the same policy and they had already invited the quotations from contractors for doing the job of filling up of water coolers. So in these circumstances, we find that the OA has no merits since no work is available with the respondents which may be given to the applicant. Still counsel for applicant had made a request that in case in future the respondents change the policy of engaging labour through contractor for filling the water coolers and revert to engage casual labours during summer season they should consider the applicant in preference to juniors and freshers.

5. In view of the submission made by the applicant, we dispose of the OA and direct the respondents that if in future any such type of vacancies or work become available to be performed by casual/daily wagers the applicant be considered in accordance with law in preference to fresher and juniors. The OA is disposed of.


(KULDIP SINGH)
Member (J)

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