

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 74/2002

This the 6th day of June, 2002

HON'BLE SH. SHANKER RAJU, MEMBER (J)

1. Sh. Jitender Kumar
S/o Shri B.R.Sharma
R/o 206/1, Gali N.4, Padam Nagar,
Old Rohtak Road,
Delhi-7.
 2. Shri Vishal
S/o Shri Nanak Chand
R/o A-797, J.J.Colony, Khyala,
New Delhi-18.
- (By Advocate: Sh. A.K.Bhardwaj proxy for
Sh. M.K.Bhardwaj)

Versus

Union of India through

1. The Provident Fund Commissioner
Ministry of Labour
Govt. of India
Head Office
Bhavishya Nidhi Bhawan,
Bhikaji Cama Place,
New Delhi-110066.
 2. Assistant Provident Fund Commissioner
Ministry of Labour
Govt. of India
Head Office
Bhavishya Nidhi Bhawan,
Bhikaji Cama Place,
New Delhi-110066.
- (By Advocate: Sh. S.K.Gupta proxy for
Sh. V.S.R.Krishna)

ORDER (ORAL)

By Sh. Shanker Raju, Member (J)

Applicant in this OA has sought quashing of the termination order, and direction for his re-engagement as well as accord of temporary status as per DOPT Scheme of 10.9.93. It is contended that in view of the fact that as the applicant has already been sponsored through Employment Exchange respondents while considering him independently for re-engagement should also be taken in view the DOPT Scheme.

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2. Sh. S.K.Gupta appearing on behalf of Sh. V.S.R.Krishna submits that although no reply is filed but in view of the decision of the Apex Court in Union of India and another vs. Mohan Pal etc. etc. 2002 (4) SCALE 216 has held this Scheme as one time measure and not an ongoing one.

3. In this view of the matter the claim of the applicant is not justifiable and is rejected. As regards his prayer for re-engagement it is open for the respondents to consider the applicant for re-engagement subject to availability of work in preference to juniors and outsiders. It goes without saying that, in the event of appointment to Group 'D' post by the respondents, applicant shall also be considered if he is eligible in accordance with the rules and instructions and the fact of his having already sponsored by Employment Exchange they may consider him in accordance with law.

4. With these directions, the OA is disposed of. No costs.

S. Raju

(SHANKER RAJU)
Member (J)

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