

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI

O.A. NO. 79/2002

NEW DELHI THIS 08TH DAY OF AUGUST 2002

HON'BLE SHRI GOVINDAN S. TAMPI, MEMBER(A)

1. Keshav Dev
S/o Sh. Mukhtyar Singh
A-43, Gali No. 3,
West Nathu Colony, Shahdara, Delhi
2. Ram Pal S/o Late Sh. Karam Singh
J-393, Mangolpuri, Delhi
3. Smt. Sudha Devi W/o Sh. Shiv Charan,
R/o RZ-128, Gali No. 2
East Sagarpur, New Delhi

.....Applicants

(By Sh. M.K. Shrivastava, Advocate)

VERSUS

1. Union of India
through the Controller of Defence Account (AF)
R K Puram, West Block-5,
New Delhi
2. Joint Controller of Defence Account (AF)
Subroto Park, NEW delhi

.....Respondents

(By Ms. P. K. Gupta, Advocate)

O R D E R (ORAL)

This OA has been filed by the three applicants seeking their re-engagement by the respondents.

2. M.A. 72/2002 for joining allowed.

3. Heard Shri M K Shrivastava and Ms P K Gupta, learned counsel for the applicant and respondents respectively.

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4. Two of the applicants have been working with the respondents for 02 years and 3rd one for last 05 years. Though all of the had been engaged after fulfilling of the necessary formalities and have been performing their duties, their services had been suddenly terminated on 28.4.2001. Though the respondents have been orally assuring that they would be re-engaged, nothing has been so far done, leading to the filing of this O.A.

5. According to the learned counsel for the applicant as the applicants have been performed their jobs satisfactorily and have completed substantial days of work there was no reason at all that their case could not be considered for grant of temporary status and regularisation in their turn.

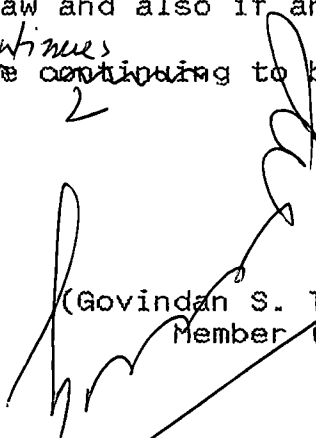
6. In the reply filed on behalf of the respondents and reiterated by Ms P K Gupta during the oral submissions it is pointed out that the individuals concerned have been engaged for a period of 89 days which was extended from time to time. This did not vest any right in them to grant temporary status or regularisation. They were also not covered under any scheme so as to entitle them for conferment of temporary status. The only concession the respondents were prepared to make was that if work ~~exists~~ ^{exists} the re-engagement could be examined in accordance with the law.

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7. I have carefully considered the matter and I am convinced that the applicants do not have a vested right for engagement as claimed by them. The only relief that can be granted to them is to direct the respondents to consider their case for re-engagement, when there is work, in accordance with law and also if any ~~one~~^{body} else who was engaged subsequently ~~are~~^{continues} ~~continuing~~² to be engaged. No costs.


(Govindan S. Tampi)
Member (a)

Patwal/