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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA 2181/2002

New Delhi, this the 19th day of May, 2003

Hon'ble Sh. Shanker Raju, Member (J)

Babli Nagar  
S/o Sh. Mahek Singh  
R/o A-42, Minto Road  
New Delhi - 2.

...Applicant

(By Advocate Ms. Nilofer Qureshi)

V E R S U S

Union of India through

1. The Secretary  
Ministry of Environment & Forests  
Govt. of India, New Delhi.
2. The Director  
National Museum of Natural History  
(Govt. of India)  
FICCI Museum Building  
Barakhamba Road, New Delhi - 1.
3. The Administrative Officer  
NMNH, Govt. of India  
FICCI Museum Building  
Barakhamba Road, New Delhi.

...Respondents

(By Advocate Sh. V.S.R.Krishna)

O R D E R (ORAL)

By Shri Shanker Raju,

In this OA, applicant has assailed his termination while working on casual basis and has sought quashment of it with directions to re-engage him in preference to juniors and outsiders.

2. Applicant was engaged as Chowkidar on daily wages, whose services were terminated by an order dated 31-7-2000.

3. By filing OA 1516/2000, re-engagement has been sought. By an order dated 12-12-2000, directions have been issued to the respondents to decide engaging the applicant as Chowkidar in preference. CP 102/2001 filed was withdrawn.

4. It is contended by the 1d. counsel for

the applicant Ms. Nilofer Qureshi that non-consideration of the applicant for re-engagement is discriminatory. Tenders have been issued to engage security guards through contractor which is to scuttle the rights of the applicant.

5. On the other hand Sh. V.S.R.Krishna, 1d. counsel for the respondents denied the contends and contested the OA, and stated that though quotations were invited by the respondents for the contract of security of the Museum, applicant who is a casual worker cannot seek engagement through private agency. As and when the respondents decided to engage Chowkidars, he will be considered in the light of the decision dated 12-12-2000 in OA 1516/2000.

6. I have carefully considered the rival contentions of the parties and having regard to the work of security of the Museum being entrusted to private agency, applicant has no valid legal right to be engaged through the contractor. In so far as, directions contained in OA 1516/2000 are concerned, OA is disposed of with the directions to the respondents that in the event they decide to engage Chowkidars on casual basis on availability of work, applicant shall be preferred for engagement to outsiders and freshers.

7. OA is disposed of with the above directions. No costs.

*S. Raym*

(SHANKER RAJU)  
MEMBER (J)

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