

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

(3)

O.A. NO. 971/2002

This the 15th day of April, 2002.

HON'BLE SHRI V.K.MAJOTRA, MEMBER (A)

Hemant Kumar S/O Kanhya Lal,
R/O C-167, J.J.Colony, Inder Puri,
New Delhi-110012.

... Applicant

(By Shri S.C.Luthra; Advocate)

-versus-

1. Union of India through
Secretary, Department of Culture,
Shastri Bhawan, New Delhi.

2. Director General,
Archaeological Survey of India,
Janpath, New Delhi-110001.

3. Superintending Archaeologist,
Archaeological Survey of India,
Excavation Branch-II,
Purana Quila,
New Delhi-110001.

... Respondents

O R D E R (ORAL)

Heard.

2. Learned counsel of applicant stated that applicant was appointed as casual labour/daily wages worker after completion of required formalities with respondent No.3 w.e.f. 1.1.1994. Although he had completed more than 240 days' service as casual labour in each year since 1994 onwards and being the seniormost was eligible for grant of temporary status, yet respondents terminated his services by verbal orders on 10.7.2001. He made a representation on 21.9.2001 followed by two reminders but there has been no response from respondents. Drawing attention to Annexure A-7, learned counsel stated that it is a list of casual labour engaged in Archaeological Survey of India, the offices of respondents 2 and 3, in the year 1996. The list contains

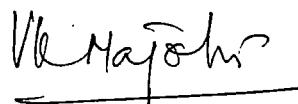
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30 persons and also states that nearly 100 casual labourer have been engaged by respondent No.3 in the months of November-December, 2001, after terminating services of applicant w.e.f. 11.7.2001. All these persons are stated to be juniors than applicant as applicant was appointed with respondents from 1.1.1994. Respondents have not re-engaged applicant in service. Applicant made representations for re-engagement dated 24.10.2001 (Annexure A-5) and dated 29.10.2001 (Annexure A-6), however, without any response from respondents.

3. Applicant seeks reinstatement in service with immediate effect and consideration and finalisation of his case for grant of temporary status and regularisation in accordance with the relevant rules and instructions.

4. In my considered view, looking to the claims made by applicant, this OA can be disposed of at this stage itself in the interest of justice without issuing notice to respondents by directing them to consider the aforesated representations of applicant within a stipulated period by passing a reasoned and speaking order. Ordered accordingly. This OA be also sent to respondents for treatment as supplementary representation of applicant. Respondents shall implement the above directions within a period of two months from the date of service of these orders.

5. The OA is disposed of in the above terms.


(V. K. Majotra)
Member (A)

/as/