

(3)

Central Administrative Tribunal  
Principal Bench

O.A.No.2421/2002  
M.A.No.2031/2002

Hon'ble Shri Shanker Raju, Member(J)

New Delhi, this the 11th day of October, 2002

1. Manoj Kumar  
s/o Shri Dharam Pal Singh  
r/o 47, Shakyapuri Kanker Khera  
Meerut.
2. Sanjay Kumar  
s/o Shri Ved Prakash  
r/o Village & Post Office Rajpura  
Mawana Road  
Meerut.
3. Birju  
s/o Om Prakash  
r/o Kothi No.13, Bruck Street  
Near MES Meerut Cantt.
4. Shesh Nagpal  
s/o Shri Krishan Prasad  
Village & Post Fazalpur  
Anup Nagar  
Meerut.

... Applicants

(By Advocate: Sh. V.P.S.Tyagi)

Vs.

1. Union of India (Through Secretary)  
Ministry of Defence  
South Block  
New Delhi.
2. The Controller General of Defence Accounts  
West Block-V, R.K.Puram  
New Delhi.
3. The Controller of Defence Accounts (PD)  
Meerut Cantt.

... Respondents

(By Advocate: Sh. R.N.Singh)

O R D E R(Oral)

By Shri Shanker Raju, M(J):

Heard both the learned counsel.

2. Applicants who had earlier approached in OA No.1951/2000 which was disposed of by an order dated 18.5.2001 wherein the respondents have been directed to consider the cases of the applicants for grant of temporary status. This has been carried to

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the High Court of Delhi where the aforesaid order was stayed and the matter was ultimately referred to a Larger Bench by an order dated 8.4.2002 in CWP No.2182/2002.

3. In this OA, the applicants have prayed for their continuance as Casual Labourers pending final decision of the aforesaid CWP. It is contended that by an order dated 31.5.2002, competent authority is accorded engagement of the applicants as casual labourers for a period of 89 days and they are required to be disengaged continuous engagement of same casual labourer with usual break/technical break should not be made.

4. Learned counsel for respondents filed their reply wherein in Para 2 it has been stated that there is no decision to disengage the services of the applicants, and they have been allowed to continue subject to availability of work and good conduct.

5. In the light of the submissions made by the respondents, I do not feel it necessary to call the confidential document which has not been addressed to the applicant which is an internal correspondence between the respondents.

6. In this view of the matter, ends of justice would be met, if the present OA is disposed of with direction to the respondents to abide by their averment made in para 2 of their reply and the applicants would be continued subject to availability of work and in accordance with rules. I order accordingly. No costs.

S. Raju  
(Shanker Raju)  
Member(J)

/rao/