

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No. 1159 of 2001

New Delhi, this the 8th day of May, 2001

(1)

HON'BLE MR.KULDIP SINGH, MEMBER(JUDL)

Shri Naresh Chander S/o Shri Anand Prasad  
R/o 757, Aliganj, Lodhi Road,  
New Delhi.

...Applicant

(By Advocate: Shri T.D. Yadav)

Versus

1. Union of India through its Secretary,  
Ministry of Urban Development, Nirman Bhawan,  
New Delhi.
2. The Director,  
Directorate of Estates,  
Nirman Bhawan,  
New Delhi-1.
3. Shri Basant Ram S/o Shri Hira Mani  
Daily Wager through Director of Estates,  
Nirman Bhawan,  
New Delhi-110 011.
4. Shri Amrish Kumar Birla S/o Shri Mukesh Kumar  
Daily Wager through Director of Estates, Nirman  
Bhawan,  
New Delhi-110 011. .... Respondents

O R D E R (ORAL)

By Hon'ble Mr.Kuldip Singh, Member(Judl)

This OA has been filed by the applicant under Section 19 of the Administrative Tribunal's Act, 1985 against the proceedings note dated 24.4.2001 as the respondents have failed to call the applicant to appear in interview which is being conducted on 10.5.2001 at 11.00 A.M. vide which certain juniors to the applicant and other outsiders are being called for interview. It is also alleged that the respondents are not giving the same benefit as given to the employees of the same department vide judgment given in OA 802/2000 dated 13.9.2000 Shri Narendra Singh Vs. U.O.I. & Others.

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(2)

2. Facts in brief, as alleged by the applicant are that he was initially engaged as a waterman w.e.f. 15.4.99 to 14.7.99 along with 5 other candidates by order dated 16.4.99 and subsequently he was re-engaged in April, 2000 till 15.9.2000 and now the work is again available but the respondents are not considering the matter though one of the colleagues had filed OA 802/2000 and it is only he who is being considered and the impugned note dated 24.4.2001 also suggest that all the candidates who were being considered, i.e., candidates mentioned at S.No.1 to 3 who have obtained an order from this court they are being called for interview whereas the applicant is yet to procure an order from the court so he has not been called for, though his name is also mentioned in the list as contained in office note dated 24.4.2001.

3. Thus the applicant has a grievance about this order and except he all the other 4 persons who had obtained order in their favour are being considered but the applicant is not being considered, so he has prayed that he should also be considered along with them since he also belongs to the same department.

4. I have heard the learned counsel for the applicant Sh.T.D. Yadav.

5. From a perusal of the note dated 24.4.2001, I find that this case can be disposed of at the admission stage itself because the proceedings note dated 24.4.2001 itself suggest that the judgment in case of person at S.No.4, i.e., the applicant is yet to be received by them. Thus it appears that the department

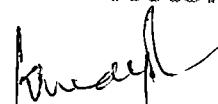


(3)

is itself encouraging litigation and they are going to call the applicant for engagement but they are waiting for the orders of this Tribunal.

6. Hence, by allowing this OA I am clearing the hurdle which is self created hurdle by respondent No.2 and direct them to consider the case of the applicant along with the others.

7. OA is disposed of as above. No costs.

  
(Kuldip Singh)  
Member (J)

Rakesh