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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1214/2001  
M.A.No.1041/2001

Monday, this the 14th day of May, 2001

Hon'ble Shri S.A.T. Rizvi, Member (A)

1. Jai Kishan  
S/O Ballu Ram  
R/O Chatia Autia  
PO Panchi Jattan  
Tehsil & Distt. Sonapat  
Haryana.
2. Ram Lal  
S/O Sham Lal  
R/O A-119, Pappan Kalan  
Sector-7, Palam  
Delhi-54.

..Applicants

(By Advocate: Shri B.K.Punj)

Versus

1. Union of India through  
Secretary, Ministry of Defence,  
South Block, New Delhi.
2. Controller of Defence Accounts,  
R.K.Puram, New Delhi.  
Tihar, New Delhi-64.
3. Controller, Defence Accounts (R & D),  
L Block, New Delhi.
4. The Administrative Officer  
Deputy Controller DCDA-RND  
Metal House,  
Delhi-54.

..Respondents

O R D E R (ORAL)

Heard the learned counsel for the applicants and  
perused the material placed on record.

2. MA-1041/2001 filed by the applicants for joining  
together in a single application is allowed.

3. The applicants initially engaged as casual Peons in  
February, 2001 ~~and~~ continued to work right through upto  
March, 2001 in the same capacity. Their services have  
been dispensed with by an oral order of 8.3.2001. Hence  
this OA.

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4. According to the learned counsel appearing for the applicants, both the applicants have worked in each of the years of their employment for more than 240 days barring 1994 in which year, none of them completed 240 days of service (Annexure A-3 collectively). There have been interruptions in the services rendered by the applicants, however.

5. The applicants have not placed on record any letter of appointment nor the letter of termination of service. According to the learned counsel, the applicants were appointed as well as their ~~and~~ <sup>services were</sup> terminated on oral basis. Conferment of temporary status on them on the basis of the services rendered is not one of the reliefs claimed. The prayer made is for reinstatement and for regularisation.

6. The applicants have not filed any representation for the consideration of the respondents. They do not contend that any junior to them has been retained in service for working as casual Peons. Apparently, there is no regular vacancy available. At any rate, the applicants have not ~~mentioned the~~ <sup>referred to the existence of any</sup> post in this regard. Regularisation in service can take place only when clear vacancies exist and the normal procedure for recruitment is followed. In the circumstances, the best that can happen to the applicants is to get re-engaged as and when work of a casual nature becomes available again in the office of the respondents.

7. For the reasons mentioned above, I am inclined to feel that the ends of justice will be met by disposing of

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this OA at this ~~stage~~ stage itself even without issuing notices by directing the respondents to consider the claim of the applicants for reengagement as and when work of a casual nature becomes available in their organisation in preference over juniors/outsideers/freshers. The respondents are directed accordingly.

8. The OA is disposed of in the aforesaid terms. No costs.

9. Registry is directed to send a copy of the OA along with this order.

(S.A.T. Rizvi)  
Member (A)

/sunny/