

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 1877/2001

New Delhi, this the 25th day of January, 2002

Hon'ble Shri Govindan S.Tampi, Member (A)

Shri Mukesh
S/o Shri Murari Lal
R/o WZ 570, Nangal Rai
Padam Basti, New Delhi.

...Applicant

(Applicant present in person)

V E R S U S

UNION OF INDIA : THROUGH

1. Secretary
Govt. of India
Ministry of Agriculture
Deptt. of Animal Husbandry & Dairy
Krishi Bhawan, New Delhi.

2. Quarantine Officer
Animal Quarantine & Certification Science
Delhi-Gurgaon Road, Kapashera Border,
New Delhi.

...Respondents~

(By Advocate Shri R.P.Aggarwal through
Shri M.K.Gaur along with Depttl. representative
Shri S.P.Kumar, Head Clerk.

O R D E R (ORAL)

By Hon'ble Shri Govindan S.Tampi,

Applicant present in person though his counsel is not present. Respondents are represented by Shri M.K.Gaur, learned proxy counsel. This OA is being disposed of in terms of Rule 15 of the CAT (Procedure) Rules, 1981.

2. Applicant who had worked as a Casual Worker (Safaiwala) and who was disengaged, had obtained order dated 8-12-1999 in OA to the effect that his case should be considered for re-engagement in preference to juniors and freshers. Plea of the applicant is that "Sanju" a fresher has been appointed in preference to him. During the submissions on 7-1-2002, I had directed that the respondents shall

(A)

produce the muster rolls for the relevant period to show whether an individual by name "Sanju" has been appointed as was alleged by the counsel for the applicant. If it was found to be so, the applicant would have had an arguable case. On perusal of the relevant muster roll produced by the respondents, it is clear to me that no such individual had been engaged. That being the case, the respondents had not acted in violation of the Tribunal's order dated 8-12-1999 and the applicant's right of priority of re-engagement had not been infringed. Nothing further remains in the OA to be acted upon.

3. OA in the above circumstances fails and is accordingly dismissed.

(GOVINDAM S. TAMPI)
MEMBER (A)

/vks/