

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No. 2633 of 2001

New Delhi, this the 1st day of August, 2002

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

1. Sukhbir Singh  
S/o Shri Mohinder Singh  
R/o H.No.B-4/316  
Nand Nagri,  
Delhi-110 093.

2. Ran Vijay Shah,  
S/o Shri Ram Pujan Shah  
R/o House No.T-523,  
Mangolpuri,  
Delhi-110 083.

-APPLICANTS

(By Advocate: Shri V. Sreedhar Reddy)

VERSUS

1. Union of India  
through the Secretary,  
Government of India,  
Ministry of Law and Justice,  
Department of Legal Affairs,  
Shastri Bhawan,  
New Delhi.

2. Jt. Secretary and Legal Adviser  
Incharge Central Agency Section,  
Room No.74,  
Central Agency Section,  
Supreme Court Compound,  
New Delhi.

-RESPONDENTS

(By Advocate: Ms. Rinchen Ongmu)

O R D E R (ORAL)

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

The applicant in this OA has challenged the order of termination vide which their services had been disengaged. The applicants were engaged as casual labourer under the respondents by a verbal order dated 8.5.2000 and worked till 20.7.2001. The applicants further state that no opportunity was given before disengagement. The applicants claim that they had worked for a period of 421 days so their services could not have

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been terminated and since work which was being performed by the applicants was perennial in nature, so the respondents should be directed to reengage them.

2. The respondents are contesting the OA. The respondents pleaded that the applicants were engaged for re-arranging the files in the record rooms which work is not of a perennial nature and now the said work is no more available as such the applicants cannot claim to be reengaged as they were not holding any civil posts.

3. We have heard the learned counsel for the parties and gone through the records of the case.

4. The respondents' counsel submitted that for the time being no one else is working to perform the job which the applicants were performing and the respondents counsel further submitted that whenever any such vacancy of casual labourer for same job arises, applicants will be considered. So in view of these submissions, the OA is disposed of with the directions that if and when any work of the same nature becomes available, the applicants shall be engaged in preference to freshers and juniors.

5. OA is disposed of with the above directions.  
No costs.



( KULDIP SINGH )  
MEMBER ( JUDL )

Rakesh