

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2668/2001

Thursday, this the 11th day of October, 2001

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

Jairam S/O Rathan Singh  
R/O Vill. Dallupura, P.O.Khicharipur  
Delhi-91.

Applicant.

(By Advocate: Shri U.Srivastava)

Versus

Union of India through

- 1.. The Secretary  
Ministry of Human Resources Development  
Shastri Bhawan, New Delhi
- 2.. The Deputy Secretary  
Ministry of Human Resources Development  
Deptt. of Education  
New Delhi
- 3.. The Under Secretary  
Ministry of Human Resources & Development  
Shastri Bhawan, New Delhi.

..Respondents

O R D E R (ORAL)

Heard the learned counsel for the applicant.

- 2.. This is the 4th round of litigation in this very case.
- 3.. The applicant had first approached this Tribunal through OA-1304/1999 which was decided on 20.10.2000 with the following directions given to the respondents:-

"7...., the OA is allowed with the directions to the respondents to re-engage the services of the applicants so long there is need for engagement of casual labourers in preference to persons with lesser length of service and outsiders including contractors...."

This was followed by a Contempt Petition, being CP-465/2000, decided by this Tribunal on 12.12.2000. The said CP was dismissed in limine with the observation that

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"it will always be open to the applicants to apply for regular employment in response to the aforesaid advertisement, if eligible".

4. The matter was re-agitated by means of a MA, being MA No.137/2001, which was decided on 13.7.2001. The Tribunal while passing orders in the MA considered it enough to direct the respondents to engage the applicant on 16.8.2001 as the period of contract was to expire on 15.8.2001. The learned counsel submits that the respondents have complied with the aforesaid direction given in order passed in MA-137/2001 by engaging the applicant just for a day. His services have been dispensed with on 17.8.2001. The learned counsel submits that the respondents have proceeded to hire ~~two~~ casual labour through contractor. Hence this OA.

5. I have considered the matter in the light of the submissions made by the learned counsel and the material placed on record. In the circumstances, I find myself unable to persuade myself to <sup>entertaining</sup> ~~entertain~~ the present OA in its present form as no prima facie case is made out for seeking relief. The OA is, therefore, dismissed in limine.



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

/sunil/