

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.NO.323/2001

HON'BLE SHRI SHANKER RAJU, MEMBER(J)

New Delhi, this the 13th day of February, 2001

Shri Hari Dass
s/o Shri Payara Lal
A-28, J.J.Colony
Inder Puri
New Delhi - 110 012. Applicant

(By Shri Sundheshwar Lal, Advocate)

Vs.

1. Union of India through
its Secretary
Ministry of Agriculture
Govt. of India,
Krishi Bhawan
New Delhi - 110 001.
2. The Director (Administrative)
Director of Extension
Department of Agriculture & Cooperation
Ministry of Agriculture
Govt. of India
Krishi Vistar Bhawan
I.A.R.I., PUSA
New Delhi - 110 012. Respondents

O R D E R (Oral)

Hon'ble Shri Shanker Raju, Member(J):

The applicant had^h been engaged as Casual Labour and performed^h the duties of Mali and also registered his name with the Employment Exchange, claims that despite rendering 240 days as casual labour, he has been disengaged whereas freshers and juniors to the applicant, namely, S/Shri Rajiv Thapa, Rajesh Kumar, Pradeep Kumar, Deepak Kumar, Satyender Kumar have been engaged by the Department. The applicant relies upon the decision of this Tribunal dated 9.1.2001 passed in OA No.47/2001 (Shri Sunil Kumar Vs. Union of India & Others) pertaining to the same department whereby in view of the claim made by the applicant, directions have been issued, to the respondents to re-engage the applicant subject to

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availability of work in preference over juniors/freshers/ outsiders and also to issue him an experience certificate as asked for by the applicant therein.

2. I have carefully gone through the pleadings. In view of the contentions taken by the applicant in this OA, I feel that the case of the applicant falls within the parameter^{ke} ~~area~~ with the case of Shri Sunil Kumar supra.

3. In view of the claim made above by the applicant as well as the averments made in para 11 of the OA regarding engagement of his juniors and freshers/outside²rs, I dispose of the OA at the admission stage itself by directing the respondents to engage the applicant subject to the availability of work in preference over juniors and freshers/outside²rs and also issue an experience certificate as asked for. The OA is accordingly disposed of. No costs.

S. Raju

(SHANKER RAJU)
MEMBER(J)

/RAO/