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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.803/2001

Thursday, this the 17th day of May, 2001

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

Shri Om Veer Singh
S/O Shri Attar Singh
C/O Shri Raj Kumar Tomar
176-B, Bhola Ka Bagh,
Lado Ki Sarai,
New Delhi-30.

..Applicant

(By Advocate: Shri L.K.Garg)

Versus

1. Union of India
through its Secretary
Ministry of Finance,
Department of Revenue,
Central Board of Excise & Customs,
Delhi.
2. Commissioner
Customs and Central Excise,
Commissionerate,
Meerut-I,
3. Joint Commissioner (P&V)
Customs & Central Excise,
Meerut-I.
4. Deputy Commissioner,
Customs and Central Excise Division,
Avas Vikas Colony,
Circular Road,
Muzaffar Nagar.

..Respondents

O R D E R (ORAL)

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

2. The applicant has been working as a casual labourer under respondent No.4 from September, 1998 and has rendered 83 days of service in 1998, 267 days in 1999 and 229 days in 2000 upto November, 2000. The respondents' office is a five day office and, therefore, on the basis of 267 days of service performed by the

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applicant in 1999, he has become entitled to be considered for the grant of temporary status in accordance with the scheme of the DOP&T of 10.9.1993. A similar claim would arise by virtue of 229 days of service rendered by the same applicant in 2000. The temporary status has not been granted despite repeated representations filed by the applicant starting 25.11.2000. On the other hand, the services of the ~~2 oral~~ applicant have been dispensed with by ~~an~~ order in November, 2000. He has not been reengaged thereafter. Some of his juniors have, however, been reengaged. The prayer made is for grant of temporary status and reengagement in service.

3. In the aforesaid circumstances, I am inclined to take the view that requirements of justice will be fully met in the present case by disposing of this OA at this very stage even without issuing notices by directing the respondents to consider the representations filed by applicant for conferment of temporary status in accordance with the letter and the spirit of the DOP&T's scheme of 10.9.1993 and to pass a reasoned and a speaking order within a period of two months from the date of receipt of a copy of this order. The respondents are directed accordingly. They are also directed to reengage the applicant, if some of his juniors have been so engaged and are found working. Alternatively, they are also directed to reengage the applicant as and when work of a casual nature becomes available in their organization in preference over freshers/juniors/outsiders.

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4. The OA is disposed of in the aforestated terms at the admission stage itself. No costs.

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

S.A.T. Rizvi

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

/sunny/