

(10)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

CP 41/2002 in  
OA 1273/2001

New Delhi, this the 8th day of August, 2002

Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman (J)  
Hon'ble Shri V.K.Majotra, Member (A)

1. Raj Pal,  
Vill. Batola, PO Baroli  
(Chandila), District  
Faridabad (Haryana )

2. Ravi Kanogia,  
11/418, Lalita Park,  
Laxmi Nagar, Delhi.

.. Petitioners

(By Advocate Shri U.Srivastava, learned  
counsel through proxy counsel Shri  
R.K.Shukla )

VERSUS

1. Smt. Kashturi Gupta Menon,  
Director General, Archaeological  
Survey of India, Janpath, New Delhi.

2. Smt.Madhubala  
Superintending Archaeologist  
Excavation Branch-II, Purana Qila,  
New Delhi.

.. Respondents

(By Advocate Shri R.N.Singh )

O R D E R (ORAL)

(Hon'ble Shri V.K.Majotra, Member (A)

OA 1273/2001 was decided vide order dated 18.9.2001  
with the following directions:-

"After hearing the learned counsel for the parties, the present OA is disposed of with a direction to the respondents to consider re-engagement of the applicants as casual labours as and when work of such nature is available with them in preference to freshers/juniors and also consider conferment of temporary status on the applicants in terms of the 1993 Scheme and judgement of the Tribunal dated 27.1.2000 in CP 347/98 in OA 210/98 referred to above and also regularisation in their turn subject to availability of vacancies and applicants fulfilling the eligibility criteria as per Rules and instructions on the subject. No costs".



2. It has been stated on behalf of the petitioners that the respondents have engaged fresh persons and even juniors for the same work at excavation Camp 2001-2002, Vill PO Dhaliwan, Distt. Mansa, Punjab on which the applicants are to be engaged and thus the respondents are guilty of Contempt of Court. On the otherhand, learned counsel of the respondents stated that respondents have not engaged any casual workers after dispensing with the services of the applicants and they have reiterated their decision to engage the applicants in preference to freshers and juniors, provided they report for duty. Learned counsel has drawn our attention to Annexure-R dated 4.1.2002 whereby, among other, petitioners have been invited to report at excavation camp, Vill.PO Dhaliwan, Distt. Mansa, Punjab for work. However, he has stated that the petitioners did not report for work. Annexure-R is in compliance with this Court's order whereby the respondents have tried to re-engage the petitioners. The petitioners have not rebutted the statements of the respondents that they have ~~not~~ engaged any other casual labourers after dispensing with the services of the applicants, nor ~~have they~~ reported for duty in response to Annexure R order dated 4.1.2002. The respondents have also stated that they would engage the petitioners in preference to freshers and juniors as and when work is available provided they report for work. In view of the statements made by the respondents, we find no justification to proceed further in the CP which is accordingly dismissed. Accordingly notices issued to the respondents are discharged.

V.K. Majotra  
( V.K. Majotra )  
Member (A)

Lakshmi Swaminathan  
(Smt. Lakshmi Swaminathan )  
Vice Chairman (J)

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