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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-1035/99

New Delhi this the 18th day of November, 1999.

Hon'ble Shri S.P. Biswas, Member(A)

Smt. Punam,
W/o Sh. Raju,
R/o Sunlight Colony-I,
H.No. 233, New Delhi. Applicant

(through Sh. U. Srivastava, Advocate)

versus

1. Govt. of NCT of Delhi through
the Secretary,
Govt. of NCT Delhi,
5, Sham Nath Marg,
New Delhi.
2. The Commissioner of Police,
Police Headquarters,
I.P. Estate,
New Delhi.
3. The Addl. Dy. Police Commissioner,
South District, Respondents
New Delhi.

(through Sh. Ajesh Luthra for Ms. Jyotsna Kaushik)

ORDER(ORAL)

The issue that arises for determination is the legality of applicant's claim for being considered as a casual labourer for re-engagement against juniors and outsiders. This claim is being made on the basis that the applicant has been working with the respondents since 1992 to 1997. Shri Srivastava, learned counsel for the applicant in an attempt to draw support to his contentions drew our attention to the orders of this Tribunal in OA-2479/97 decided on 29.05.98 as well as MA-2188/98 in OA-2479/97 decided on 18.02.99.

2. Learned counsel for the respondents would submit that the applicant was appointed as a sweeper in Delhi Police purely on ad hoc basis vide orders dated 02.05.90. The appointment clearly stipulated that not only her services were purely on ad hoc basis but also it was only for a specific period. The services of the applicant were terminated on the expiry of required periods. She was, however, appointed for a period of six months after giving a small break. Thus, her services were terminated on 28.03.97. She was again appointed on ad hoc basis for a period of six months but she did not join her services and her ad hoc appointment was cancelled vide orders dated 18.09.97. The applicant was a habitual absentee and never took interest in her official duties.

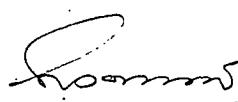
3. Learned counsel for the respondents would also submit that the case laws cited by the applicant does not render any help to her because in those cases the applicants did appear in time back to the respondents seeking appointment.

4. It is not in doubt that the applicant remained inactive for a period of about 2 1/2 years after having been disengaged on 31.3.97. The O.A. has been filed on 04.05.99 whereas her services were disengaged in March 1997. In the circumstances, the applicant's case is hit by limitation and it has to be dismissed on that account alone and I do so accordingly.

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5. Our orders, however, will not stand in the way of the respondents to offer her a casual job, in case it is available in view of the reported fact that she had some personal difficulties in reappearing after 1997.

6. The O.A. is disposed of as aforesaid.
No costs.


(S.P. Biswas)
Member(A)

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