

Central Administrative Tribunal, Principal Bench

O.A. No. 2085 of 1999
MA 2069/99

New Delhi this the 11th day of May, 2000

Hon'ble Shri Kuldip Singh, Member (J)

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1. Amar Nath Choudhry
R/o 535, Krishi Kunj
I.A.R.I. Pusa, New Delhi-12.
2. Ramanand Paswan
R/o E-56, Khyala J.J. Colony,
New Delhi-18.
3. Ramesh Kumar
R/o 287, Krishi Kunj, IARI Pusa,
New Delhi-12.
4. Vinod Yadav
R/o 322, Krishi Kunj
I.A.R.I. Pusa, New Delhi-12.
5. Naresh Kumar
R/o 804, Krishi Kunj
I.A.R.I. Pusa, New Delhi-12.
6. Rajender Poddar
R/o E-65 Khyala J.J. Colony, Phase-I,
New Delhi-18.
7. Hukam Chand
R/o 55, Krishi Kunj
I.A.R.I. Pusa, New Delhi-12.
8. Umesh Mahto
R/o 54, Type-I, Krishi Kunj
Inder Puri, New Delhi-12.
9. Lallan Kumar
R/o Gali No.10, Niti Vihar,
New Delhi-41.
10. Opendar Rai
R/o 804, Krishi Kunj
Loha Mandi, New Delhi.
11. Lal Babu Rai
R/o 805, Krishi Kunj
Loha Mandi, New Delhi.
12. Net Ram
R/o 44/25 Gali No.55,
New Delhi.
13. Sunil Kumar
R/o I-212 Block-I,
I.A.R.I. Pusa, New Delhi-12.
14. Suresh Kumar
R/o I-130, Chidya Colony,
Pusa, New Delhi-12.

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15. Vijay Kumar
R/o 803, Krishi Kunj
I.A.R.I. Pusa, New Delhi-12.
16. Ram Parmod
R/o 1-22, Krishi Kunj
I.A.R.I. Pusa, New Delhi-12.
17. Kishan Kumar
R/o 310, Krishi Kunj
I.A.R.I. Pusa, New Delhi-12.
18. Anil Kumar
R/o 1-193, Chidya Colony
Pusa, New Delhi-12.
19. Dhanesh Sah
R/o 416, Krishi Kunj
Pusa, New Delhi-12.
20. Ram Chander
R/o 1-195, Chidya Colony
New Delhi-12
21. Ravinder
R/o 480, Krishi Kunj
I.A.R.I. Pusa, New Delhi-12.
22. Baikunth Kumar
R/o 425, Krishi Kunj
I.A.R.I. Pusa, New Delhi-12.
23. Ramji Lal
R/o C-40, J.J. Colony
Inderpuri, New Delhi-12
24. Smt. Meena Devi
C-41, J.J. Colony
Inderpuri, New Delhi-12
25. Madan Lal,
R/o 1603, Krishi Kunj
Inderpuri, New Delhi-12
26. Rajiv Kumar Thakur
R/o 1695, Krishi Kunj
Inderpuri, New Delhi-12
27. Siyanand
R/o 414, Kirari Prem Nagar,
Nangloi, Delhi-48
28. Ram Chander Paswan
R/o 1-195, Chidya Colony
Pusa, New Delhi-12
29. Promod Paswan,
R/o 469, Krishi Kunj
Inderpuri, New Delhi-12

- Applicants

(By Advocate: Shri S.L.Hans)

Versus

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1. Union of India, through
Secretary,
Indian Council of Agricultural Research
Krishi Bhawan, New Delhi

2. Director (Admn.)
Indian Agricultural Research Institute
Pusa, New Delhi-12

- Respondents

(By Advocate: Ms. Geetanjali Goyal)

Order

By Hon'ble Shri Kuldip Singh, Member (J)

This is a joint application filed by Amar Nath and others wherein they have sought a relief that the respondents be directed to re-engage the applicants on casual basis in preference to freshers and juniors.

2. The facts in brief are that the applicants had at some point of time worked for different periods under the respondents on daily paid labour basis. The various periods for which each of the applicants had worked is given specifically in para 4 of the O.A. The applicants now claim that since the work is available with the respondents, they should be re-engaged.

3. The respondents have contested the application and they have stated that the application has become time barred since the applicants had worked quite long back during the periods 1985 to 1992 etc. so now they cannot claim to be taken back. The respondents had given a Press Notification through the leading Newspapers to all the casual labourers who had worked at any time that they should get themselves enlisted so that whenever work is available in future, they may be recalled and reengaged. But since the applicants have not turned up, so they cannot be re-engaged.

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4. I have heard the learned counsel for the parties and have given thoughtful consideration to the matter involved as well as the documents on record. 14

5. The learned counsel for the applicants has referred to various judgments of this very Tribunal between certain other casual labourers and same respondents, which involved similar facts. Those judgments clearly show that the objections taken by the respondents were considered by this Tribunal but the same were not found to be having any merits and the respondents were given directions to consider the case of the applicants in those cases. Some of such cases are O.A. No. 635 of 1996 decided on 23.9.98 (Sunil Raj Vs. U.O.I. & Others), O.A. No. 1390 of 1990 and other connected cases decided on 13.1.1999 (Shri Dilip Rai Vs. U.O.I. & Others). Latest on the point is O.A. No. 736/99 (Narender Singh & Others Vs. U.O.I. & Another) decided on 17.2.2000 by a Co-ordinate Bench of this Tribunal, wherein it was held as under:-

"Admittedly, they had been working only during 1986-90. In the circumstances, the only relief that can be granted to the applicants is that to consider them for appointment as casual labourers in future vacancies in preference to the fresh employees, after the respondents, on verification of their record, if available find that the applicant had been working with them as casual labourers, as claimed by them".

6. After going through the same, I also find that the applicants case is almost similar to the case of the applicants in OA 736/99, so I also direct the respondents to consider them for appointment as casual labourers in future vacancies in preference to fresh employees, after the respondents, on

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verification of their record, if available, find that the applicants had been working with them as casual labourers, as claimed by them.

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7. With the above directions, O.A. is disposed of but without any other as to costs.


(Kuldip Singh)
Member (J)

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