

13

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No.2129 of 1999

New Delhi, this the 15th day of December, 2000

HON'BLE MR.KULDIP SINGH, MEMBER(JUDL)

Sudhir Kumar  
S/o Birju Lal  
r/o House No.4(Single Storey)  
Old Chandrawal  
Near Majnu Ka Teela  
New Delhi

-APPLICANT

(By Advocate: Mrs.Rani Chhabra)

Versus

1. Union of India  
through its Secretary  
Ministry of Finance,  
Department of Revenue,  
Central Board of Excise and Customs  
Delhi
2. Commissioner-I  
Customs and Central Excise  
Commissionerate  
Mangal Pandey Nagar  
University Road, Meerut
3. Deputy Commissioner(P&V)  
Customs and Central Excise Division-II  
Commissionerate  
Mangal Pandey Nagar  
University Road, Meerut
4. Inspector  
Customs and Central Excise  
Commissionerate  
Mangal Pandey Nagar  
University Road, Meerut

-RESPONDENTS

(By Advocate: Shri H.K.Gangwani)

O R D E R(ORAL)

By Hon'ble Mr.Kuldip Singh, Member(Judl)

The applicant who had worked under respondents sometime in the year 1996 as casual labourer, is aggrieved of the fact that he had been disengaged by an oral order just to deny him the benefits of Casual Labourers (Grant of Temporary Status and Regularisation) Scheme, 10.9.93 and further engaging freshers/juniors ignoring his preferential claim in view of his past

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14

continuous service. He seeks a direction to respondents to engage him in preference to juniors and outsiders. He also seeks a direction to respondents to confer temporary status upon him.

2. The OA is contested by respondents. They have taken the plea that applicant had himself absconded from the work and did not turn up to the job when his services were required. However, they have admitted that applicant had worked under them for 206 days in a year.

3. In view of the fact that applicant had completed more than 206 days of service in a year and had thus become eligible for the benefits of the Govt. of India Scheme 10.9.93, I direct the respondents that whenever there is work available, they shall consider the applicant for engagement in preference to juniors and outsiders.

4. O.A. stands disposed of with the above directions. No costs.

  
( KULDIP SINGH )  
MEMBER(JUDL)

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