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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P.No.425/2000 in O.A.No.2422/99

HON'BLE SHRI V.K.MAJOTRA, MEMBER(A)
HON'BLE SHRI SHANKER RAJU, MEMBER(J)

New Delhi, this the 22nd day of February, 2001

Praveen Kumar
s/o Mohinder Singh
r/o 76, Pooth Kalan
New Delhi - 110 041. ... Petitioner

(By Shri R.K.Shukla, Advocate)

Vs.

Shri M.Pran Kochandi
Chief Controller of Accounts
Ministry of Surface Transport
IDA Building, Jamnagar House
New Delhi. ... Respondents

(By Shri A.K.Bhardwaj, Advocate)

O R D E R (Oral)

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

The respective counsel for the petitioner and the respondent have been heard.

2. OA No.2422/99 was disposed of by order dated 27.4.2000 with the following observations/directions:

"6. The learned counsel for the applicant has invited my attention to Annexure A-2 whereby the respondents have fixed a meeting and the Agenda of Meeting shows that one of the item is the appointment of Daily Waged Peons and on the basis of that the learned counsel for the applicant submitted that this Annexure A-2 shows that work of casual labour is still available with the respondents so they should re-engage him. Considering this document, that is Annexure A-2, I find that if at all the work of daily waged peon is available, then the respondents are legally bound under the Casual Labour (Grant of Temporary Status) Scheme, 1993 to engage the applicant as casual labourer subject to the availability of job. The

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respondents are further directed that the applicant shall be given preference over freshers and juniors.

7. O.A. is disposed of with the above directions. No costs."

3. In the CP the petitioner has alleged that whereas seven persons including Shiv Prasad and Vijender Kumar with inferior claims than the applicant's have been engaged by the respondents, the applicant has not been re-engaged though six months period has lapsed since the orders were passed in OA 2422/99. The learned counsel of the respondents stated that there is no work of Daily Wage Peons in the office of the respondents and that no fresh person as mentioned by the applicant have been engaged by the respondents after 30.9.1999. The learned counsel for the respondent also filed a copy of order dated 2.2.2001 dismissing CP 428/2000 in OA No.2066/99 wherein the applicants had taken an identical plea relating to reengagement of Shiv Prasad and Vijender Kumar as in the present CP which was rejected by the Court in that CP. The learned counsel of the petitioner stated that if not these some other persons appeared to have been engaged by the respondents. He also submitted that the respondents had stated that they would not have any work of Daily Waged Peons in the near future. We do not find any force in the contention of the petitioner's counsel. The persons mentioned by the petitioner in the CP having been engaged in preference to the applicant though they had inferior claims has not been established by the petitioner.



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4. Having regard to the above discussion, we are of the view that no case is made out by the petitioner under the provisions of the Contempt of Courts Act against the respondents. The CP is ^b accordingly dismissed. Notices issued against the respondents are discharged. No costs.

S. Raju

(SHANKER RAJU)
MEMBER(J)

/RAO/

V.K. Majotra

(V.K. MAJOTRA)
MEMBER(A)