

Central Administrative Tribunal, Principal Bench

Original Application No. 2634 of 1999

New Delhi, this the 16th day of August, 2000

Hon'ble Mr. Kuldip Singh, Member (J)

(9)

Shri Bihari Singh  
S/o Shri Bishwanath Singh  
R/o L.626 Mangolpuri  
Delhi-110 008.

- Applicant

(By Advocate - Sh. M. K. Gaur, proxy for Sh. R. K. Shukla)

Versus

1. Union of India through  
Secretary,  
Ministry of Finance,  
North Block,  
New Delhi.

2. Revenue Secretary,  
Ministry of Finance,  
North Block,  
New Delhi.

- Respondents

ORDER(ORAL)

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

This is an O.A. filed by a casual labourer seeking the following reliefs:-

- "(i) direct the respondents to consider re-engagement of the applicant as casual labourer immediately and grant him same relief at par with his counter-parts;
- (ii) declare the non-engagement of applicant as casual labourer in preference to his juniors/freshers as waterman as discriminatory and arbitrary; and
- (iii) consider the applicant on his re-engagement as casual labourer for grant of temporary status and further regularise him against any suitable group 'D' post."

2. According to the applicant he has worked with the respondents for the period from 15.4.96 to 15.10.96 and thereafter from 15.4.97 to 15.10.97. He

*[Signature]*

has stated that some juniors and freshers have been engaged thereafter, ignoring his claim over them.

(6)

3. Respondents have filed a counter affidavit. They have stated that casual labourers were being engaged by them during summer season as and when there was need. Some casual labourers were re-engaged in the department on the basis of their performance and industriousness.

4. After hearing both sides, this OA is disposed of with a direction to the respondents that in case <sup>the work of casual nature is available for</sup> ~~there are vacancies of casual labourers~~ in future, they shall consider the applicant also, in preference to juniors/freshers. No costs.

  
(Kudlip Singh )  
Member (Judl)

/dm/