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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

C.P. NO. 465/2000

in

O.A. NO.1304/1996

New Delhi this the 12th day of December, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI S.A.T.RIZVI, MEMBER (A)

1. Sanjay S/O Suresh Chand,
1/615, Mansarovar Park,
Shahdara, Delhi.

2. Jairam S/O Ratan Singh,
Vill. Dallu Pura,
P.O.Khichripur,
Delhi.

... Applicants

(By Shri Gyaneshwar, Advocate)

-versus-

1. Shri M.K.Kaw, Secretary,
Ministry of Human Resources
Development, Shastri Bhawan,
New Delhi.

2. Shri Zakir T. Thomas,
Deputy Secretary, Ministry of
Human Resources Development,
Deptt. of Education,
New Delhi.

3. Shri S.N.Gupta,
Under Secretary, Ministry of
Human Resources Development,
Shastri Bhawan,
New Delhi.

... Respondents

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

By an order passed on 20.10.2000 in OA

No.1304/99 following directions have been issued:

"7. In view of the aforesaid discussions, the OA is allowed with the directions to the respondents to re-engage the services of the applicants so long there is need for engagement of casual labourers in preference to persons with lesser length of service and outsiders including contractors."

12.8

2. Whereas applicants have not been re-engaged, respondents have purported to issue a public advertisement inviting applications from fresh candidates. The said advertisement pertains to appointments on regular basis, whereas aforesaid direction of the Tribunal related to re-engaging applicants as casual labourers. There can always be work of a temporary nature which may entail employment of casual labourers. Their services are normally discontinued the moment the work is over. There may, on the other hand, be the regular establishment which may require employment on regular basis. Aforesaid advertisement is apparently for filling up posts on regular basis. The same do not pertain to casual works and engagement of casual labourers. No case, therefore, is made out for contempt.

3. Present contempt petition, in the circumstances, is rejected in limine, with an observation that it will always be open to the applicants to apply for regular employment in response to the aforesaid advertisement. *if eligible*

S.A.T. Rizvi

(S.A.T. Rizvi)
Member (A)

Ashok Agarwal

(Ashok Agarwal)
Chairman

/as/