

Central Administrative Tribunal
Principal Bench

O.A.No.1352/98

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this the 22nd day of April, 1999

(3)

Avdhesh
r/o B Block, Sector 8
Jhuggi No.1299
NOIDA (UP). ... Applicant

(By Mrs. Rani Chhabra, Advocate)

Vs.

1. Union of India through
its Secretary
Ministry of Communication
Department of Telecommunications
Sanchar Bhawan, New Delhi.

2. Chief General Manager(West)
Department of Telecom
Dehradun.

3. General Manager I
Department of Telecom Jaina Tower Sector-2
Raj Nagar, Ghaziabad.

4. General Manager II
Telephone Exchange
Sector - 19
Noida.

5. Junior Engineer (Telecom)
Telephone Exchange,
Sector - 19
Noida. ... Respondents

(By Shri K.R.Sachdeva, Advocate)

O R D E R (Oral)

The applicant who has been working as Casual Labour on part-time basis seeks a direction to the respondents to give him preference for appointment as a full time casual labour over freshers and juniors with consequential benefits.

The claim of the applicant is denied by the respondents. The learned counsel for the applicant submits that the applicant has been working for six hours and for a number of years. Since the respondents are

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engaging casual labourers on full time basis, the applicant has a preferential claim for the full time engagement on account of his past engagement. She also pointed out that there is a circular issued by the Telecom Department under which part-time casual labourers are also entitled for consideration for regularisation.

I find that as the applicant has been working as part-time casual labour, no preferential claim for engagement on full time basis is created. He can only have a prior claim for engagement as ^{part time} ~~casual~~ labour over freshers and outsiders. In case any benefit accrues to him under the Circular issued by the Telecom Department, he can make his claim on that basis to the respondents. This is however not ^{the} relief claimed by the applicant in the present case. The OA is therefore dismissed as being devoid of merit.

R.K.Ahaoja
(R.K.Ahaoja)
Member(A)

/rao/