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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. No. 1444 of 1998

New Delhi this the 9th day of December, 1998

HON'BLE MR. K. MUTHUKUMAR, MEMBER (A)

Mrs. Suresh Devi
W/o Shri Bir Sindh
R/o 159/86, Lakshmibai Nagar,
Behind Barat Ghar,
New Delhi.

..Applicant

By Advocate Shri C.B. Pillai.

Versus

Union of India through
The Secretary to the Govt. of India,
Department of Animal Husbandry & Dairying,
Ministry of Agriculture,
Krishi Bhawan,
New Delhi.

..Respondents

By Advocate Shri Rajeev Bansal.

ORDER (ORAL)

Applicant was engaged as a casual labourer initially with effect from 24.4.95 for a period of 90 days along with certain others vide Annexure A-1. It is stated that her casual engagement continued from time to time. By O.A. 786/96 some other casual labourers under the respondents prayed for a direction for their ~~being~~ ^{days} re-engagement if and when work was available in preference to persons who had rendered lesser number of casual service than the applicants. This application was disposed of directing the respondents to reengage the applicants in that OA. The applicant was not one of the applicants in the aforesaid OA nor was she engaged along with them in 1985. However, in pursuance of the directions of the Tribunal, the applicants in the aforesaid OA along with the present applicant was re-engaged for a period of 66 days by the respondents' Office Order 1/96 dated 10.9.96. It is stated in this

application that the respondents have disengaged the services of the applicant as daily rated casual labourer (unskilled) without a formal written order and she had not been re-employed beyond 23.7.97.

2. The respondents admit that after the casual/seasonal work was over, applicant along with certain other daily rated casual labourers ~~were~~ t. disengaged.

3. The prayer in this application is for a direction to the respondents to reengage the applicant if casual work is available in preference to junior persons or person who had rendered lesser length of service than the applicant. The learned counsel for the respondents fairly concedes that the respondents are already following the general principle of giving preference to applicants who had served earlier in preference to juniors and persons with lesser length of service.

4. In the circumstances, this application is disposed of with the following direction:-

(i) Respondents are directed to consider the reengagement of the applicant subject to availability of work. If work is available applicant should be considered in preference to freshers and other juniors with

3.

lesser length of service.

No order as to costs.


(K. MUTHUKUMAR)
MEMBER (A)

Rakesh