

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA.No.1662 of 1998

New Delhi, this 12th day of August, 1999.

(9)

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER (J)

Trilok Chand
S/o Shri Sibbon Singh
R/o C/23/13, Bihari Colony
Shahdara
Delhi-110032.

...Applicant

By Advocate: Shri Ashok Agarwal, through
proxy counsel Mrs Kusum Sharma

versus

1. Union of India,
Ministry of Health,
Nirman Bhawan
New Delhi.
2. The Director
Food Research & Standardisation
Laboratory, Navyug Market,
Ghaziabad-201001. ... Respondents

By Advocate: Shri A.K. Bhardwaj

O R D E R (ORAL)

Smt. Lakshmi Swaminathan, M(J)

In this OA, the applicant's main prayer is for a direction to the respondents to consider his case for regular appointment in Class-IV post in terms of the Tribunal's order dated 4.9.92 in OA.250/92.

2. In OA.250/92 wherein admittedly the applicant was one of the seven applicants, the Tribunal had disposed of the application firstly, with a direction to the respondents to consider engaging them as casual labourers and, secondly, they were further directed to consider their cases for regularisation in accordance with the

administrative instructions issued by the Department of Personnel & Training.

(10)

2. As seen from the above, the present OA seeks the same relief as has already been granted by the Tribunal in OA.250/92. The applicant cannot file another OA on same relief claimed as this will be barred by principles of res-judicata. If the applicant was aggrieved by non-implementation of the Tribunal's order dated 4.9.92, he should have pursued his remedy well in time, which he has failed to do.

3. For the above reasons, the OA is not maintainable and is, therefore, dismissed on the ground of res-judicata and limitation.

4. Before parting with the case, however, it may be mentioned that since the applicant is a casual labourer ^{ad} there is an order directing the respondents to take necessary action for his regularisation in accordance with the rules as far back as 4.9.92, it would be in the fitness of things that the respondents comply with these directions, if not already done.

No order as to costs.

Lakshmi Swaminathan
Smt. Lakshmi Swaminathan
Member(J)

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