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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No.1676/98

New Delhi: this the 11th day of March, 1999.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Shri Hari Chand,
S/o Shri Om Prakash,
R/o House No.108,
Krishna Kunj Colony,
Luxmi Nagar,
Delhi

..... Applicant.

(Shri R. K. Shukla, Advocate)

Versus

Union of India through

1. Secretary,
Department of Posts & Telegraph,
Sancha'r Bhawan,
New Delhi.

2. Divisional Engineer,
(Telegram)
Kurukshtra,
Haryana-132 118

..... Respondents.

(By Advocate: Shri D. S. Jagotra)

ORDER

HON'BLE MR. S. R. ADIGE VICE CHAIRMAN (A).

Heard both sides.

2. By order dated 16.7.96 in O.A No.1847/95 filed earlier by applicant, that O.A had been disposed of with a direction to respondents to consider reengagement of applicant as and when work became available in preference to outsiders and persons with lesser length of casual service than him.

3. Respondents in reply have stated that no casual worker has been reengaged by them after the aforesaid order, nor is there work available against which applicant can be engaged.

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4. Applicant in his rejoinder has not given the name of any casual worker engaged by respondents after the date of the aforesaid order. The names he has furnished in para 1 of his rejoinder are of those engaged by a private contractor.

5. In the rejoinder reference has also been made to a judgment of the Hon'ble Supreme Court in the case of International Airport and it has been stated that it has been held that where contractual jobs are offered, persons already working should be given priority/ preference over freshers. The relevant citation was not quoted by applicant's counsel during hearing and he was not able to establish how relevant the aforesaid judgment was to the facts and circumstances of this case, but prima facie from what has been stated in the rejoinder the aforesaid direction would be applicable to organisations engaging persons on contract, and not to the respondents.

6. Under the circumstance this OA is disposed of by reiterating the directions contained in para 2 above. No costs.

Arif Ali
(S. R. ADIGE)
VICE CHAIRMAN (A).

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