

2
Central Administrative Tribunal
Principal Bench

O.A.No.1698/98

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

New Delhi, this the 19th day of August, 1999

Shri Vidya Dutt
s/o Sh. Ganni Lal
r/o 1646, Lodi Complex
New Delhi - 110 003. ... Applicant

(By Shri D.R.Gupta, Advocate)

Vs.

1. Director General of Works
Central Public Works Department
Ministry of Urban Affairs and
Employment
Nirman Bhawan
New Delhi.
2. The Chief Engineer
(Central Design Organisation) CPWD
Nirman Bhawan
New Delhi.
3. The Suptdg. Engineer (Design) II
EWO, CPWD, Nirman Bhawan
New Delhi. ... Respondents

(By Shri S.Mohd. Arif, Advocate with Mr. Vasu Dev,
Executive Engineer, R.R.Unit, CDO, Nirman Bhawan
I.C.No.157629, Departmental Representative.).

O R D E R (Oral)

The applicant submits that he has worked for various periods with Respondent No.3 during 1997 and 1998 and has completed the requisite 206 days of service for grant of temporary status. The respondents have terminated his services without any notice. He has now come before the Tribunal seeking a direction to the respondents to re-engage him and also to confer temporary status on him in accordance with relevant Rules.

2. The respondents in the reply have denied that the applicant had served with Respondent No.1 and
3. They however, admit that the applicant had been

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engaged on daily wage basis with Respondent No.2, i.e., Chief Engineer, CDO, CPWD in the capacity of Waterman from 2.6.1997 till 30.9.1997. According to the respondents, the applicant has not been engaged after 1.10.1997. The learned counsel for the applicant submits that the applicant has applied in response to an advertisement for Group 'D' employees as per copy at Annexure-A3. He submits that he is entitled to consideration with due regard to the service already put in by him.

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3. I find that the applicant has admittedly worked as daily wage employee from 2.6.1997 till 1.10.1997. On the basis of this admitted engagement of casual labour, the applicant is entitled to be considered on re-engagement on the basis of his admitted period of engagement in case work is available and the respondents propose to engage casual labour.

4. In view of the above circumstances, the OA is disposed of with a direction to the respondents that in case the applicant applies and the work of a casual nature is available, the respondents will consider the case of the applicant on the basis of service already rendered by him. In so far as his application for a regular job is concerned, to which the applicant's counsel has referred, no doubt that it will be dealt by the respondents on its own merit.

The OA is disposed of as above. No costs.

R.K. AHOOT
(R.K. AHOOT)
Member (A)

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