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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 1845/98
M.A. No. 1954/98

New Delhi this the 22nd Day of September, 1998

Hon'ble Mr. R.K. Aahooja, Member (A)

1. Rajbir Singh Son of Shri Ram Dhan
2. Rajan Verma Son of Shri S.D. Verma
3. Yogesh Kumar Son of Late Shri Kishan Sharma
4. Dharamveer Singh Son of late Shri Suraj Singh
5. Mani Ram Son of Shri Mam Raj
6. Gabber Singh Son of Shri Sunder Singh
7. Ganesh Dass Son of Shri UKpender Dass
8. Rattanpal Son of Shri Yograj
9. Ram Sanjiwan Thakur Son of Shri Hargen Thakur
10. Abhey Kumar Son of Shri Ram Prakesh.

(All are working as Casual labourer in the office of the Section Officer, Planning Commission, Room No. 415, 4th Floor, Yojna Bhawan, New Delhi). Applicants

(By Advocates: Shri Shri M.K. Bharadwaj with Shri A.K. Bharadwaj)

-Versus-

Union of India through

1. The Secretary,
Planning Commission,
Yojna Bhawan, New Delhi.
2. The Section Officer,
Planning Commission,
Room No. 415, 4th Floor,
Yojna Bhawan, New Delhi. Respondents

(By Advocate : None)

ORDER (ORAL)

M.A.No.1954/98 for joining together is allowed.

2. Having heard the counsel on admission, I consider that this O.A. can be disposed of at the admission stage itself. The applicants, ten in number, were working as casual labourers with the respondents. The respondents submit that they were engaged from various dates since 1991, 1992 and 1993 and have since been working with the respondents with intermittent breaks. On that basis, they have come before the Tribunal seeking a direction that their services be not terminated and that the

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respondents should be directed not to make any appointment to Group 'D' unless the applicants are first regularised.

3. The learned counsel submit that the respondents should also consider the applicants without insisting on their names to be sponsored by the employment exchange. Further they submit that the applicants should be allowed to replace their services by juniors and outsiders.

4. I find that as the applicants have been working with the respondents, they are entitled to continue if the work is available, in preference to outsiders and freshers.

5. In the facts and circumstances of the case, this O.A. is disposed off with the following directions.

- A) ~~in replaced~~ The services of the applicants will not be dispensed with as casual labour by other casual labour who are freshers and outsiders;
- B) While filling up future vacancies of Group 'D' staff, the applicants will also be considered if they apply for the same, without insisting on their names being sponsored by the employment exchange, subject to their fulfilling the qualifications laid down in the recruitments rules. The applicants will, however, be entitled to age relaxation to the extent that they may have rendered service with the respondents as Casual Labour.

R.K. Ahooja
(R.K. Ahooja)
Member (A)

Mittal