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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. NO. 248/98

New Delhi this the 22nd Day of July 1998

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

Shri Balwan Singh,
Son of Shri Samart Singh,
R/o O-331 Sewa Nagar,
New Delhi-110 003.

Petitioner

(By Advocate: Shri M.L. Chawla)

-Versus-

1. Union of India
Through Secretary to the
Govt. of India,
Central Secretariat,
South Block, New Delhi-110 011.
2. The Joint Secretary & Chief Administrative
Officer,
Armed Forces Hqrs,
Ministry of Defence,
Central Secretariate,
South Block, New Delhi-110 011.
3. The Camp Commandant,
Air Force Hqrs, Vayu Bhawan,
Rafi Ahmed Kidwai Marg,
New Delhi-10 011. Respondents

ORDER (Oral)

The applicant claims that he has put in 450 days service between 1993-94 with the respondents but when he was called for interview in 1997, respondents ignored him and engaged fresh persons from outsiders. He claims that he was eligible for grant of regularisation and grant of temporary status in terms of the Scheme devised by the respondents. His prayer is that the respondents be directed to take him back in service from the date of his last termination.

O/L

2. The respondents in their reply have denied the claim of the applicant but admitted that he had worked as casual labourer with the respondents for 153 days in 1993.

3. I have heard the counsel. Since the claim of the applicant is denied and there is no adequate proof to corroborate the claim of total number of days put in by the applicant, applicant's prayer for re-engagement in service with retrospective date cannot be considered nor can a direction be given to grant him temporary status at this stage. However, as the respondents have admitted that applicant has put in 153 days service with them, the applicant would have on that basis have a claim for preferential treatment over freshers and those with lesser service.

4. In the light of the above discussion, this OA is disposed of with the direction that in case the applicant applies for re-engagement and the respondents have a requirement for casual labour they will consider the applicant for re-engagement giving him preference over the freshers and with lesser service. It is made clear that applicant would have no preferential claim over those who have already been engaged by the respondents.

R.K. Ahuja
(R.K. Ahuja)
Member (A)

Mittal