

Central Administrative Tribunal
Principal Bench

O.A.No.249/98
M.A.No.240/98

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

New Delhi, this the 21st day of April, 1998

1. Parshottam Singh
s/o Shri Rajendra Prasad
r/o Block No.5A/5
House No.5A/4, B.I.Line
Red Fort
Delhi - 6.
2. Zaheer Ahmad
s/o Shri Mohammad Anwar
r/o T-30
Atr No.5
Transit Camp
Red Fort
Old Delhi - 6.
3. Sanjay
s/o Shri Hukum Singh
r/o MES Workshop
T-20, Red Fort
Old Delhi - 6.
4. Jai Bhagwan
s/o Shri Banwari Surgi
r/o 9F 3/2, Salim Gate
Red Fort
Old Delhi - 6.
5. Mohammad Jamil
s/o Shri Mohammad Khalil
r/o 5A/4, B.I. Line, Red Fort
Old Delhi - 6.
6. Akhtar Khan
s/o Shri Mohd. Ahmed
r/o MES Workshop
T/21 Qtr No.3
Red Fort
Delhi - 6.
7. Chaman
s/o Shri Ram Pal
r/o MES Qtr, T 28/8
Transit Camp
Red Fort
Delhi - 6.
8. Anwar Hussain
s/o Shri Ahmad Hussain
r/o T 29/9, Transit Camp
Red Fort
Delhi - 6.

Or

9. Ranjit Singh
s/o Shri Mangal Singh
r/o House No.4/2 C.M.P.Line
Red Fort
Delhi - 6.

... Applicants

(By Shri U.Srivastava, Advocate)

Vs.

1. Union of India through
The Secretary
Ministry of Defence
South Block
New Delhi.
2. The Engineer in Chief Branch (E-2 Cord)
Army Headquarters
Kashmir House
Rajaji Marg
New Delhi.
3. The Chief Engineer
Delhi Zone
M.E.S.Headquarters
Delhi Cantt-10.

... Respondents

(By Shri V.S.R.Krishna, Advocate)

O R D E R (Oral)

The applicants, nine in number, claim that they were engaged with Respondent No.3, The Chief Engineer, Delhi Zone, MES Headquarters, as Casual Labour on muster roll basis for various periods between 1987-1997. Their grievance is that though they have completed 5 to 13 years of service, their services have been dispensed with. They have now come before this Tribunal seeking a direction to the respondents to consider their case for re-engagement in preference to their juniors and outsiders and also to consider their cases for regularisation.

2. The respondents in reply have stated that none of the applicants have rendered 240 days of service in a year which is required, under the Scheme, for consideration for grant of temporary status and regularisation. They have also given details of the

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number of days for which the service has been rendered by each of the applicant. In regard to the prayer made by the applicants, the respondents state that if the applicants are sponsored by the employment exchange they will certainly be considered in preference to their juniors.

3. I have carefully considered the matter. It is an admitted position that all the applicants have worked under the respondents for certain period spread over more than 7 years. At the time of their initial appointment all the applicants, their names were duly sponsored by the employment exchange. It is therefore not necessary that each time their names should come from the employment exchange.

4. As the respondents themselves are agreeable to consider the cases of the applicants for re-engagement, the OA is disposed of with a direction that the respondents will consider the applicants for re-engagement, in case work is available with them, in preference to outsiders and those with lesser length of service. For this, it will not necessary that the applicants' names must be duly sponsored by the employment exchange and it would suffice if the applicants themselves make an application for their re-engagement.

The OA is disposed of as above. No costs.


(R.K. AHUJA)
MEMBER(A)

/rao/