

Central Administrative Tribunal
Principal Bench

M.A.No.1323/98
O.A.No.493/98

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

New Delhi, this the 3rd day of July, 1998

1. Jagdish Singh
s/o Shri Gur Dayal Singh
r/o T.F.17/4 M.E.S.
Lal Quila
Delhi.

2. Dalip Kumar
s/o Shri Jog Ram
r/o T-28/8, M.E.S.
Lal Quila
Delhi.

... Applicants

(By Shri U.Srivastava, Advocate)

Vs.

Union of India through
1. The Secretary
Ministry of Defence
South Block
New Delhi.

2. The Engineer in Chief Branch (E-2 Cord)
Army Headquarters
Kashmir House
Rajazi Marg
New Delhi.

3. The Chief Engineer
Delhi Zone
MES Headquarters
Delhi Cantt. - 10.

... Respondents

(By Shri R.K.Shukla, proxy of Shri V.S.R.Krishna, Advocate)

O R D E R (Oral)

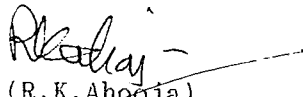
The applicants claim to have worked continuously with the respondents as casual labour since 1990 and 1987 respectively. Their grievance is that though their services have been terminated the respondents are engaging juniors and freshers in their place. They have now come before the Tribunal seeking a direction to the respondents to consider their cases for re-engagement in preference to their juniors and outsiders and further to also consider their cases for regularisation as per Rules.

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2. After hearing the learned counsel for the applicants on the question of admission, a notice had been issued to the respondents to file a reply. However, despite service none had appeared on behalf of the respondents on the last two occasions. In the meantime, the applicants have also filed an MA No.1323/98 seeking a prayer on the interim relief that the respondents are directed to consider the cases of the applicants for re-engagement as casual labourers along with the other candidates.

3. I have heard both the counsel today. The interim relief sought for in MA No.1323/98 is substantially the same as the prayer made in the main OA. Considering that the main relief sought for in the OA is that the applicants should be considered for re-engagement in preference to fresher and outsiders, I have considered it proper to dispose of this OA at the admission stage itself with a direction to Respondent No.3 to consider the applicants for re-engagement if the work is available for Casual Labour, in preference to their juniors and outsiders/freshers. For this the respondents will not insist the applicants' names be again sponsored by the Employment Exchange. Further, the cases of the applicants for grant of temporary status and regularisation will also be considered by the respondents in accordance with the Scheme that may be in force in the respondent department.

4. The MA and OA are disposed of as above. No Costs.


(R.K. Ahooja)
Member(A)

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