

(15)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. No. 602 of 1998

New Delhi, this 28th day of October, 1998.

HON'BLE SHRI K. MUTHUKUMAR, MEMBER(A)

Rishi Pal Singh  
S/o Shri Ram Swaroop  
M.Add.-RZ-241, Palam Village  
New Delhi-45.

... Applicant

By Advocate: Shri U. Srivastava

versus

Union of India, through -

1. Secretary  
Ministry of Water Resources  
Shram Shakti Bhawan  
New Delhi.
2. The Director (Admin)  
Government of India  
Central Ground Water Board  
New CGO Complex, NH-IV  
Faridabad-121 001.
3. Administrative Officer  
Central Water Ground Board  
New CGO Complex, NH-IV  
Faridabad-121 001. ... Respondents

O R D E R (oral)

Hon'ble Shri K. Muthukumar, M(A)

The applicant claims actual service with the respondents for about 212 days from September 1996 to June 1997. He also submits that though in June 1997 he had worked with the respondents till the end of that month, he was not allowed to sign the Attendance Register after 4th June 1997. The respondents have denied this averment in their counter reply. However, they have stated that they have

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engaged the applicant from time to time on need basis after giving specific breaks. They have, however, asserted that the applicant has not been engaged continuously without break.

2. Learned counsel for the respondents fairly concedes that the applicant was engaged from time to time, but he has not completed the required number of days of casual service to enable the respondents to consider him for grant of temporary status. He also submits that as per the reply, no junior had been engaged as a casual labourer and the applicant was not engaged through Employment Exchange as a casual labourer.

3. I have heard the learned counsel for the parties and perused the records and also certain judgments relied upon by the learned counsel for the applicant.

4. It is noted that admittedly the applicant falls short of the requisite number of days for consideration of temporary status. It is stated by the learned counsel for the respondents that the applicant was engaged as casual labourer since September 1996 by the respondents for a specific periods only and he had not been engaged continuously. It is stated that presently the applicant is not under engagement.

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5. In the light of the above facts, this application is disposed of with the following directions:-

6. Respondents are directed to consider re-engagement of the applicant as a casual labourer as and when specific need arises for such engagement in preference to juniors or any fresh candidates and thereafter if the applicant completes the requisite number of days for consideration of temporary status, the respondents may consider grant of temporary status after such re-engagement, in accordance with Rules.

7. This application is disposed of as above. No order as to costs.



(K. Muthukumar)  
Member (A)

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