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(10)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

C.P. NO. 230/94  
IN  
O.A. NO. 296/94

New Delhi this the 7th day of December, 1994

HON'BLE SHRI JUSTICE S. C. MATHUR, CHAIRMAN  
HON'BLE SHRI P. T. THIRUVENGADAM, MEMBER (A)

1. Shri Laloo Yadav S/O Shri  
Rajinder Yadav,  
R/O H-61, Kalibari Marg,  
New Delhi.
2. Shri Harinder Rai S/O Shri  
Ram Dahin Rai,  
R/O 52/619, Panchkuin Road,  
New Delhi.
3. Shri Des Raj S/O Shri Murari Lal,  
R/O 218, Type II, Press Colony,  
Mayapuri, New Delhi.

All Ex-Daily Wagers in the  
Office of the Principal  
Chief Controller of Accounts,  
Central Board of Excise &  
Customs, A.G.C.R. Building,  
1st Floor, New Delhi. ...

Applicants

( By Advocate Shri K. N. R. Pillai )

Versus

Smt. Nirmala Dhume,  
Principal Chief Controller  
of Accounts, Central Board  
of Excise & Customs,  
A.G.C.R. Building, 1st Floor,  
New Delhi. ...

Respondent

( By Advocate Shri K. C. D. Gangwani )

O R D E R (ORAL)

Shri Justice S. C. Mathur -

The applicants allege disobedience by the  
respondent of the Tribunal's judgment and order  
dated 15.3.1994 passed in O.A. No. 296/94.

2. It appears that the administration had  
earlier engaged the applicants for filling water  
in the coolers. At the end of the season, their

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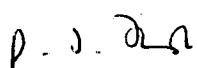
engagement was ceased. The applicants approached the Tribunal challenging the discontinuance of their employment. The Tribunal while disposing of the application directed that when fresh casual labourers are appointed, the applicants will be given preference over freshers.


3. In the application, the applicants' plea is that in April, 1994 the respondent engaged four casual labourers whose names have been mentioned in paragraph 4 of the application. This, according to the applicants, amounts to disobedience of the judgment of the Tribunal.

4. In her reply, the respondent has denied the allegation that she has engaged four persons. It is stated that a contract for the filling of coolers has been given and now the workers are engaged by the contractor.

5. The order of the Tribunal did not debar the administration from changing the pattern of getting the work done. They have now adopted a new pattern for getting their work done through contractor. Engagement may have been made of the four persons by the contractor but thereby the respondent cannot be said to have disobeyed the judgment of the Tribunal.

6. In view of the above, the application is rejected and the notice issued is discharged.

  
( P. T. Thiruvengadam )  
Member (A)

  
( S. C. Mathur )  
Chairman