

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA. No. 129/95

Dated this the 16th Day of November, 1995.

(6)

Hon. Shri S.R. Adige, Member(A)
Hon. Dr. A. Vedavalli, Member(J)

Gaj Pal Singh,
S/o Punra Singh,
R/o Vill. & P.O. Amar Singhpur,
Distt. Meerut.Applicant

By Advocate: Shri Surinder Singh

versus

1. Union of India through
the C.G.B.A.
West Block-V,
R.K. Puram,
New Delhi.

2. J.C.DA(F)
Meerut Cantt.Respondents

By Advocate: Shri P.H. Ramchandani.

O.R.D.E.R (Oral)
(By Hon'ble Shri S.R. Adige)

In this application, Shri Gaj Pal Singh has impugned the respondents action in disengaging him from service and has prayed for reengagement w.e.f. 12.3.94 together with all consequential benefits.

2. Shortly stated, the case of the applicant is that he has put in greater length of service than S/Shri Seshpal and others who by the Tribunal judgement dated 28.2.95 in OA.3041/91 were reengaged as casual labourers and have since been granted temporary status.

3. The respondents have challenged the OA and their contention is that the applicant is not entitled to the benefits which were given to S/Shri Seshpal and others pursuant to the Tribunal's Judgement dated 28.2.95 in OA.3041/91, as that was a judgement in personam.

A

(2)

4. We note from the respondents own reply that the applicant was engaged as a casual labourer for different length of time in the past and has put in a considerable overall length of service with the respondents. Presently, he stands disengaged and is out of service.

5. Taking into account the materials on record and submissions made by both counsel, we dispose of this application with a direction to the respondents that subject to the availability of work, they should consider reengaging the applicant as a casual labourer in preference to others with overall lesser length of service who are presently out of work, and also in preference to outsiders. Thereafter, it would be open to the applicant to work out his rights for grant of temporary status in accordance with law, if so advised.

6. This OA is disposed of accordingly. No costs.

A. Vedavalli

(Dr. A. Vedavalli)
Member(J)

S. R. Adige
(S. R. Adige)
Member(A)

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