

Central Administrative Tribunal
Principal Bench: New Delhi

OA No.1847/95

New Delhi this the 16th day of July 1996.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)
Hon'ble Mr K.Muthukumar, Member (A)

Sh. Hari Chand
S/o Sh. Om Prakash
R/o House No.108, Krishna Kunj
Colony, Luxmi Nagar Delhi
and of Village Rampura District
Kurchettra, Tehsil Thaneshwar
Haryana

...Applicant.

(By Advocate: Sh.M.L.Verma)

Versus

Union of India through
Post & Telegraph Department
New Delhi.

2. The Divisional Engineer (Telegram)
Kurukchethra Haryana 132 118

...Respondents.

(By Advocate: Sh.M.M.Sudan)

O R D E R(Oral)

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

The applicant who rendered casual service under the respondents from 1.11.85 to 1.11.87 and whose service was dispensed with by the respondents has filed this application praying that a direction may be given to the respondents to re-engage him under the scheme known as "Casual Labourers (Grant of Temporary Status & Regularisation) Scheme, 1989, and for grant of temporary status and regularisation with effect from the date his juniors have been granted temporary status.

2. The respondents resist the application. They contend that the applicant who was disengaged way back in the year 1987 cannot now come and seek re-engagement and regularisation. Two of those persons whose names have been mentioned in the application are persons junior to the applicant and ~~the~~ had been re-engaged and granted temporary status. Respondents contend that this was done as per the directions of the Tribunal in its order in OA 2376/91. The respondents contend

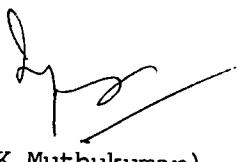
that the applicant at this stage is not entitled to any relief sought for. The applicant in his rejoinder stated that the respondents have claimed that they have re-engaged the two persons and not the other persons.

*as per Court order let not these be settled above
in this case*

3. When the application came up for final hearing today, Shri M.M.Sudan states that he has been informed by the respondents that the other four persons were also re-engaged in the year 1993 in obedience of the orders of the Tribunal in the applications filed by them. However, learned counsel on either side agree that this application may be disposed of with a direction to the respondents for considering the applicant for re-engagement in case work becomes available in preference to freshers and persons with lesser length of casual service than him.

4. In the light of what is stated above, we dispose of this application with a direction to the respondents to consider re-engagement of the applicant as and when work becomes available in preference to outsiders and persons with lesser length of casual service than him. It is made clear that for the purpose of reengagement of the applicant, no one who is in position as casual labourer as on today may be removed.

No order as to costs.


(K. Muthukumar)
Member (A)


(A.V. Haridasan)
Vice Chairman (J)

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