

Central Administrative Tribunal
Principal Bench
New Delhi

OA-2452/95

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This the 30th day of September, 1997.

HON'BLE SHRI N. SAHU, MEMBER (A).

1. Shri Ashok Kumar
S/o Shri Bhim Singh Sharma
Casual Worker
All India Radio
R/o 408-33/34, Omkar Nagar-B
Tri Nagar,
Delhi-110035.
2. Shri Jaya Prakash
S/o Shri Charan
Casual Worker, All India Radio
R/o 1818 Kotla Mubarakpur
Uday Chand Marg,
New Delhi.
2. Rajesh Kumar
S/o Shri Bishan Das
R/o C-131 Maharani Enclave
New Delhi.
3. Satish Chandra
S/o Shri Mahanand
R/o 1908 Kotla Mubarak pur
New Delhi.
4. Satish Chandra
S/o Shri Mahanand
R/o 1908, Kotla Mubarakpur
New Delhi.
5. Balbir Prasad
S/o Shri Sankar Lal
R/o V-56 Vijay Park
Mojpur
Delhi-110053
6. Raj Kumar
S/o Shri Ban Singh
R/o Vill. & P.O. Kultal
Dist. Rohtak
Haryana
(By Advocate Shri K.N.R.Pillai) Applicant

Versus

1. Union of India
Through the Director General
All India Radio,
Sansad Marg,
New Delhi.
2. Shri P. N. Bansal
Station Engineer (Supdtg.Engineer),
Delhi Station
All India Radio
New Delhi. Respondents
(By Advocate Shri K.C.D.Gangwani)

contd....

ORDER(Oral)

By Hon'ble Shri N.Sahu, Member(A).

(24)

Six applicants are join together in this O.A. and seek a direction to quash the termination of their service on 8.12.95 by verbal order of the 2nd respondent; and also to direct that they be allowed to continue as Casual Workers as long as the work for which the Casual Labour vacancies were sanctioned. They also seek a direction that the applicants be appointed in regular Group 'D' vacancies: the first under the Chief Engineer (R & D) and second and third under the Station Director, New Delhi. It is urged that the replacement of Casual labour was in violation of Director General's Orders as at Annexures A-VI and A-VII issued in compliance with this Tribunal's judgement at Annexure A-V. There is no particular dispute in para 3 of the counter reply. The respondents stated that in case any Casual Work becomes available in the office of respondents, they will be considered keeping in view their seniority in the panel maintained. They will be given preference as per the direction of this Bench on 24.1.96 over their juniors and outsiders. At present there is no work available in the office for considering them according to their seniority.

2. I accordingly direct that whenever work is available, the applicants shall be considered on the basis of their seniority and freshers shall not be engaged. It is urged that the External Services Division have been making nominations for Casual jobs and Group 'D' vacancies on the basis of seniority lists prepared.

3. Applicant Nos.1,2 & 3 were nominated by this coordinate Agency for the purpose of regular vacancies of Chaprasies, Farashes and Safaiwala. By virtue of

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Annexure A-1 and A-1(a), whenever any regular vacancies arise respondents shall consider the claim of these applicants in accordance with rules for filling up Group 'D' vacancies according to their seniority. O.A. is disposed of as above. No costs.

Arneswami
(N. SAHU)
MEMBER (A)

RB