

7

Central Administrative Tribunal
Principal Bench

...

O.A. No. 1119/95

New Delhi, this the 29th day of Feb., 1996

Hon'ble Shri A.V. Haridasan, Vice-Chairman (J)
Hon'ble Shri R.K. Ahooja, Member (A)

Krishan Pal s/o
Shri Surander Singh
Ex-Casual Labourer, Planning Commission,
Yojna Bhawan,
New Delhi. Applicant

(By Shri A.K. Bhardwaj, Advocate)

Versus

1. Union of India
through the Secretary,
Planning Commission,
Yojna Bhawan,
New Delhi.
2. The Deputy Chairman,
Planning Commission,
Yojna Bhawan,
New Delhi.
3. The Section Officer,
Planning Commission,
Room No. 415,
4th floor, Yojna Bhawan,
New Delhi. ... Respondents

(By Shri V.K. Mehta, Advocate)

O R D E R (Oral)

By Hon'ble Shri A.V. Haridasan, Vice-Chairman (J):

The prayers in this application are for a direction to the respondents to engage the applicant as a casual labourer in preference to the juniors and outsiders and to incorporate his name in the list of casual labourers prepared for the purpose of re-engagement and regularisation and to regularise the applicant's

✓

services against a group 'D' post in preference to juniors and outsiders. The application was filed at a time when the application was dis-engaged from service.

2. The respondents while contesting the application have stated in their reply that the name of the applicant / had already been maintained in the seniority list of casual labourers prepared as on 28.9.1993 and that this case for regularisation, grant of temporary status etc. would be considered on his eligibility in accordance with rules. It has also been stated that the prayer for interim relief was not relevant as the applicant had already been ^{re-}engaged.

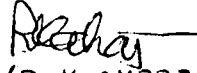
3. Learned counsel for the applicant states that in *the light* ~~accordance with~~ the statement made in the counter affidavit that the applicant's name has been included in the casual labourers and that his case for regularisation etc. would be considered in his turn in accordance with the Scheme, the application may be disposed off with appropriate direction. However, he states that the statement made in the counter reply that the applicant has been re-engaged is not correct as he is now out of employment.


4. Shri V.K.Mehta, counsel for the respondents states that though the applicant was re-engaged ^{he} but was subsequently dis-engaged for want of work. However, the counsel for the respondents have no objection in disposing of the application with a direction to the respondents to consider re-engagement, regularisation etc. of the applicant on his suitability in accordance with the rules.

5. In the light of the suggestions made by the learned counsel of both the parties at the Bar, the application is disposed off directing the respondents to consider the applicant for re-engagement in his turn in accordance with rules and his position in the seniority list of casual

✓

labourers and also consider the case for grant of temporary status, regularisation of ~~the applicant~~ etc. in his turn in accordance with rules and instructions. There is no order as to costs.


(R.K.AHOOJA)
MEMBER (A)


(A.V.HARIDASAN)
VICE-CHAIRMAN (J)

na.