

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. NO.599/96

HON'BLE SHRI R.K. AHOOJA, MEMBER(A)

New Delhi, this the 14th day of May, 1999

Shri Baldev ~~Krishan~~ Singh
S/o Shri Ram Krishan
R/o 235, Vijay Park Moj Pur
Shahdara, Delhi

..... Applicant

(By Advocate: Ms. Richa Goel proxy
of Mrs. Rani Chhabra)

Versus

1. The Union of India
through its Secretary
Ministry of Communications
Sanchar Bhawan, Ashoka Road
New Delhi 110 001

2. The Sub Divisional Engineer
Telecom Project
Mandi, Himachal Pradesh

..... Respondents

(By Advocate: Shri Rajeev Bansal)

O R D E R (ORAL)

The applicant submits that he was employed as a casual labour in the Department of Telecommunication on 2.1.95 and worked in the Optical Fibre Project and Microwave Project upto December, 1995. Thereafter no further work was given to him and his engagement was orally terminated. He submits that his termination was without notice and in contravention of the provisions of Section 25-F of the Industrial Disputes Act. He having worked upto 31.12.95 he was entitled to have temporary status with all consequential benefits. His grievance is also that while his services were terminated, the respondents continued to engage nearly 70 persons who had lesser service and were junior to him.

2. The respondents in their reply raised the preliminary objection that the address given by the applicant in Delhi differs from the actual residential

Or

⊗ as per order of court dated 2.9.99
in MA 1847/99.

address given in the departmental address and therefore, the O.A. is not maintainable as he does not come within the territorial jurisdiction of the Principal Bench. On merits they say the applicant was engaged on project work as casual labour and on its completion his services were no longer required. He, therefore, could not be offered any further work.

3. I have heard the learned counsel for both the parties. I find that as far as the objection of territorial jurisdiction is concerned, the applicant being no longer in the employ of the respondents, the address given in departmental records is no longer relevant. Therefore, the objection of the learned counsel for the respondents on this point is rejected.

4. As regards the allegation of the applicant that the respondents have retained his juniors while terminating his services, I find that no specific information has been given as to the juniors. In view of this position no reliance can be placed on the averment made by the applicant. However, the fact remains, and the same is admitted by the respondents, that the applicant had worked with the respondents for a period of time. As such he has a preferential claim for reengagement over those with lesser service and outsiders.

5. O.A. is disposed off with the direction to the respondents to reengage the applicant in any project if work is available under respondent No.2. On such reengagement, the applicant will also be considered for the grant of temporary status on the basis of ~~the~~ service already rendered by him with all consequential benefits as per law.


(R.K. AHUJA)
MEMBER (A)

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