

7

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No. 1371/1997

New Delhi, this 9<sup>th</sup> September, 1997

Hon'ble Shri S.P. Biswas, Member(A)

Shri Kulwant Singh  
s/o late Shri Gore Singh  
s-123, Pandav Nagar  
New Delhi - 110 092 .. Applicant

(Shri E.X. Joseph, Sr. Advocate with  
Ms. Jasmine, Advocate)

versus

Union of India, through

1. Secretary  
Ministry of Mines  
Shastri Bhavan, New Delhi
2. Under Secretary (Admn.)  
Ministry of Mines  
Shastri Bhavan, New Delhi .. Respondents

(Shri M.K. Gupta, Advocate)

ORDER

The applicant, engaged as casual labour under the respondents, has challenged the order dated 7th May, 1997 as he stands disengaged from service after working for a period of 90 days as mentioned in the impugned order and is seeking a direction to the respondents for his regularisation as a Group D employee.

2. Before I consider the above issue, it would be necessary to state here that the applicant, alongwith two others, had earlier filed OA No.261/96 for a similar relief, which was disposed of on 12.3.96 with a direction to the respondents to re-engage him as casual worker as and when work was available in preference to freshers and juniors. Accordingly, he was re-engaged on daily wages for putting water in desert coolers during the summer season as per the impugned order, wherein it has been mentioned that the period of engagement will be

32

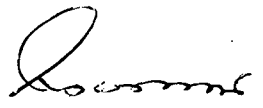
8

initially be for a period of 60 days, thereafter depending upon the performance and the requirement. Applicant's period of engagement will not in any case exceed three months and on completion of three months his engagement will automatically stand terminated.

3. The case of the respondents that the applicant's engagement came to an end in August, 1997 as per the impugned order and his services are no more required. However, the learned counsel for the respondents submitted at the Bar that as and when there is any requirement/necessary, applicant alongwith similarly placed casual employees would be considered for engagement in compliance with the direction dated 12.3.96 inOA 261/96 and that as of now there is no vacancy available against which the applicant could be accommodated.

4. In view of the above position, the only direction that can be given at this stage is that the respondents may consider re-engagement of the applicant, in preference to freshers and juniors, as and when work becomes available in accordance with the rules on the subject. I do so accordingly.

This O.A. is disposed of accordingly. No costs.

  
(S.P. Biswas)  
Member (A)

/gtv/