

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. 2115/97  
M.A. 2045/97  
M.A. 2288/97  
M.A. 666/98

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New Delhi this the 26th Day of March 1998

Hon'ble Shri R.K. Ahooja, Member (A)

1. Shri Virender Kumar,  
son of Shri Dhum Singh,  
r/o Jhuggi No. B-393,  
Dr. Ambedkar Basti,  
R.K. Puram, Sector-1,  
New Delhi.
2. Shri Surender  
Son of Shri Prabhu Nath Thakur,  
R/o Jhuggi No. B-393,  
Dr. Ambedkar Basti,  
R.K. Puram, Sector I,  
New Delhi.
3. Shri Dinesh Kumar,  
Son of Kali Charan,  
R/o Jhuggi No. 301, Old Campus,  
JNU, New Delhi.
4. Shri Amar Singh,  
Son of Shri Masiya,  
R/o D-11, Staff Quarters,  
National Zoological Park,  
New Delhi.
5. Shri Suresh.,  
Son of Shri Pan Singh,  
R/o 63 Ber Sarai,  
New Delhi.
6. Shri Ashish,  
Son of Shri Ram Krishan,  
R/o 16E, Connaught Place,  
New Delhi.
7. Shri Vijay Kumar,  
S/o Shri Ram Pal,  
R/o NCERT, Type 1, Room No. 37,  
New Delhi.
8. Shri Rajender  
son of Shri Suraj Bhan,  
R/o D-311 Kidwai Nagar,  
New Delhi.
9. Shri Jeet Singh,  
S/o Batti Singh,  
R/o D/603 Type 1,  
Netaji Nagar,  
New Delhi.

10. Shri Prem Singh,  
Son of Shri Jasodh Singh  
R/o F-44, Ber Sarai,  
New Delhi.

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(By Advocate: Shri Anil Mittal)

-Versus-

1. Central Soil & Material Research Station,  
Near IIT Hostel, Outer Ring Road,  
Hauz Khas, New Delhi-16.
2. Ministry of Water Resources Development,  
Govt. of India,  
Sharm Shakti Bhawan,  
New Delhi.

(By Advocate: Shri S.M. Arif)

ORDER (Oral)

Learned counsel for the applicant, Shri Anil Mittal, seeks permission to withdraw the MA No. 666/98. MA is dismissed as withdrawn.

2. O.A. No. 2115/97. Heard the counsel. The applicants 10 in number claim that they were appointed by the respondents as casual labourers after being sponsored through Employment Exchange. The applicants worked for various periods <sup>between</sup> 1995 and 1997. They also claim that except for applicant NO. 10, they had put in 206 days continuous service in a year and had been regularly attending to their work. After 2.9.1997 their services were orally terminated by the respondents. They have now come before the Tribunal with the prayer that in view of the service rendered by them, the respondents be directed to regularise their services in their respective jobs or in the alternative give them preference over their juniors and over outsiders in the matter of further reengagement.

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3. Respondents in their reply statement submit that the applicants were engaged initially for 3 months with usual breaks on the basis of prior sanction of muster roll by the competent authority. The applicant did not work on continuous basis as sanction was received for engaging casual labourers from time to time. On that basis, the respondents says that the applicants have no claim for regularization.


4. Today when the matter came up, the learned counsel for the respondents fairly stated that if work is available and casual labourer are recruited by the respondents, the applicants will be given due preference in the matter of reengagement on the basis of the service already rendered by them.

5. In view of the above submission, the OA is disposed of with the direction that in case the respondents have need for casual labourers, they will give preference to the applicants on the basis of the services rendered by them over their juniors and outsiders. If such reengagement is offered, the respondents will also consider the applicants for grant of temporary status and regularization in accordance with the Scheme promulgated by the Department of Personnel and applicable to the respondent department.

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6. The OA is disposed of as above. No costs.

  
(R.K. Ahooja)  
Member(A)

\*Mittal\*