

Central Administrative Tribunal
Principal Bench

O.A.No.2294/97
M.A.No.2266/97
M.A.No.2267/97

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

New Delhi, this the 3rd day of October, 1997

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1. Laljeet Yadav
s/o Shri Ram Samujh Yadav
r/o D-1323 Azadpur
Delhi.

2. Vijay Pratap Yadav
s/o Shri Ram Bijh Yadav
r/o D-1323 Azadpur
Delhi.

... Applicants

(By Ms. Richa Goyal, proxy of Mrs. Rani Chhabra, Advocate)

Vs.

1. Union of India
through its Secretary
Ministry of Communication
Department of Telecommunication
Sanchar Bhawan
New Delhi.

2. Chief General Manager
A-23 Jaina Tower Building
(Fourth Floor)
New Raj Nagar
Ghaziabad - 201 002.

3. Assistant Engineer(Microwave)
A-23 Jaina Tower Building(Fourth Floor)
New Raj Nagar
Ghaziabad - 201 002.

4. Assistant Engineer(Planning)
A-23 Jaina Tower Building(Fourth Floor)
New Raj Nagar
Ghaziabad - 201 002.

5. Assistant Engineer(Cable)
A-23 Jaina Tower Building(Fourth Floor)
New Raj Nagar
Ghaziabad - 201 002.

.... Respondents

O R D E R (Oral)

Applicant No.1 states that he had been engaged by Respondent No.3 from 1.1.1994 to 31.10.1994 continuously for a period of 213 days. Similarly, Applicant No.2 had been engaged by Respondent No.3 from 3.8.1992 to 30.6.1993 for a period of 223 days. Their grievance is that though they have rendered the requisite service, the respondents have not granted them


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temporary status and disengaged them without following the procedure prescribed in respect of Casual Labour with temporary status. The applicants are further aggrieved that though the respondents have engaged fresh persons, they have not considered the claim of the applicants. (3)

2. I have heard the learned proxy counsel for the applicants at the admission stage. Applicant No.1 and 2 were disengaged way back in 1994 and 1993 respectively. They have now come to this Tribunal against the verbal order of their dis-engagement. The learned proxy counsel for the applicant submits that though she is not pressing the relief claimed against disengagement (i.e. relief 8(a)), the other relief, namely, consideration of the applicants in preference to their juniors and outsiders may be considered.

3. Having heard the counsel and having gone through the OA, I am of the view that it is not necessary to admit the application at the admission stage. It would suffice if OA is disposed of with a direction to the respondents that in case the applicants file a representation regarding their re-engagement, the respondents will be considered the same, if the work is available in future, ⁱⁿ with preference to their juniors and outsiders.

The OA is disposed of as above.


(B.K. AHUJA)
MEMBER(A)

/rao/