

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 2479/97

New Delhi this the 29 Day of May 1998

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

1. Kishan Lal,
Son of Shri Bidey Lal,
R/o F-15, P.S. Hauz Khas Colony,
New Delhi-110 016.
 2. Bhagat Raj,
Son of Shri Banwari Lal,
R/o H.No. C/193 Khanpur,
JJ Colony, New Delhi-110 062.
 3. Ramwati,
W/o Shri Kali Charan,
R/o Sunlight Colony No.1,
H.No. 231, New Delhi-110 014.
 4. Duli Chand,
S/o Shri Sohanlal,
R/o Jhuggi No. 126, IIT Labour Camp,
IIT Hostel, Hauz Khas,
New Delhi-110 016.
- Petitioners

(By Advocate: Shri U. Srivastava)

-Versus-

1. The Commissioner of Police,
Police Headquarters, I.P. Estate,
New Delhi.
 2. The Additional Deputy Police Commissioner,
South District,
New Delhi.
- Respondents

(By Advocate: Shri Arun Bharadwaj)

ORDER

The applicants, four in number, claim that they were engaged as Sweeper on daily wages in the respondents department of Delhi Police from various dates from 1988 to 1991 and continued as such till 28.2.1996. They were re-engaged w.e.f. 6.3.1996 but their services were terminated again by the impugned order dated 18.9.1997 (Annexure A-1). They have come before the Tribunal seeking a direction to set aside

the impugned order and further to direct the respondents to grant them temporary status and regularisation.

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2. The respondents in their reply have stated that the applicants were engaged against a sanction of 15 posts granted ~~re-appointed~~ in 1978. However, since concurrence of Govt. of NCT of Delhi was not available for further continuance, the services of the applicants were dispensed with.

3. I have heard the counsel of both the parties. Shri U.Srivastava, learned counsel for the applicant states that the order of this Tribunal in OA No. 1259/97 Smt. Indu Devi and Ors Union of India & Ors decided on 10.10.1997 in which the applicants were also similarly placed as the applicants herein though the former were working in the East Delhi District of Delhi Police. *It is equally applicable.* On perusal I find that this is substantially correct. In line with the decision in the above mentioned OA, I dispose of the present OA also with the following directions:

- a) The respondents will consider the case of the applicants for re-engagement as and when work is available and the sanctions are obtained, in preference to juniors and outsiders. Thereupon, the respondents will also consider the case of the applicants for grant of

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temporary status and issue orders thereon within one month on the re-engagement of the applicants.

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- b) In case posts become available and it is decided to regularise the services of daily wages employees, the applicants will be given preference over juniors and in case such regularisation is done at the level of Delhi Police, then their seniority will be determined on the basis of their length of engagement with the respondents.

There is no order as to costs.

R.K. Ahooja
(R.K. Ahooja)
Member (A)

Mittal