

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

OA-1174/94

New Delhi, this the 8th day of November, 1994.

P. Munu Swamy,
Ex-Casual Labourer,
News Services Division,
All India Radio,
Sansad Marg,
New Delhi.

... Applicant.

(through Mr K.N.R.Pillai, Advocate).

vs.

Union of India
Through the Director General
All India Radio
Sansad Marg,
New Delhi.

... Respondent.

(through Mr E.X.Joseph, Advocate).

ORDER (ORAL)

JUSTICE S.K.DHAON, VICE CHAIRMAN

A counter-affidavit has been filed in this case. Rejoinder-affidavit too has been filed. Though the O.A. has not yet been admitted, we have heard the same with a view to dispose it of finally with the consent of the parties.

2. The undisputed facts are these. The applicant had approached this Tribunal by means of O.A. No.1154 of 1991, which was disposed of finally on 24.12.1991 with certain directions. One of the directions was that the respondents should prepare a list of Casual Workers. In accordance with the order, the list had been prepared and in that list, the name of the applicant appears at Sr.No.2.

3. The allegation in the O.A. is that the respondents are not adhering to the list. Instead, they have retained persons junior to the applicant

34

while dispensing with the services of the applicant. In the counter-affidavit filed, it is asserted that the applicant was given a job but he voluntarily abandoned the same. After some interval, he again took a job and thereafter was disengaged for want of work.

4. The learned counsel for the respondent has stated at the Bar and, in our opinion, very fairly that, if and when a vacancy occurs, the respondent shall engage the applicant strictly in accordance with the list already prepared. This undertaking on behalf of the respondents should satisfy the applicant at this stage.

5. We accordingly direct the respondents that, if and when they engage a casual worker, they shall consider the case of the applicant for giving him employment strictly in accordance with the list prepared.

6. With these directions, the O.A. is disposed of, leaving the parties to bear their own costs.

B.N. Dholi
(B.N. Dholi)
Member (A)

Sy
(S.K. Dhaon)
Vice Chairman.

/sds/