

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. No.662 of 1994

New Delhi this the 21st day of November, 1994

Mr. Justice S.K. Dhaon, Vice-Chairman
Mr. B.K. Singh, Member

Iaj Rani
Widow of late Shri Ashok Kumar
R/o RZ-999/21,
Tuglakabad Extension,
New Delhi-110019.Applicant

By Advocate Shri A.K. Bhardwaj

Versus

1. Union of India through
the Secretary,
Min. of Food, Processing,
Panchsheel Bhavan,
Khel Gaon,
New Delhi..
2. The Controller of Accounts,
M/o Food Processing,
Room No.287, Krishi Bhavan,
New Delhi.
3. The Principal-cum-P.A. Officer,
Food Processing Industries,
Room No.257,
Krishi Bhavan,
New Delhi.Respondents

By Advocate Shri B. Ial

ORDER (ORAI)

Mr. Justice S.K. Dhaon, Vice-Chairman

The applicant was employed as a Casual Labourer. Her services were terminated with effect from 02.03.1994. She came to this Tribunal by means of this O.A. and prayed for the following reliefs:-

- (a) To declare the act of the respondents in disengaging her services as casual labourer with effect from 2.3.1994 as illegal and discriminatory.
- (b) To direct the respondents to re-engage her.
- (c) Mandate the respondents to consider her case for absorption as a Group 'D' employee.

A counter-affidavit has been filed.
Rejoinder-affidavit too has been filed.

On 06.07.1994, we had heard this matter for some-time and after hearing the counsel for the parties, we directed the respondents to produce the relevant record, which may substantiate their case that the necessity of engaging a casual labourer came to an end on 02.03.1994 and thereafter, no casual labourer was engaged by them.

In pursuance of the said order, the Attendance Register for the Month of March, 1994 has been produced before us. We find from a perusal of the same that not even a single casual labourer was engaged on or after 03.03.1994 by the respondents. The applicant, therefore, is not entitled to be given reliefs (a) and (b).

As regards the last relief, the case set up by the respondents is that the applicant does not fulfil the requirements of the Scheme and she is not eligible to be considered for being regularised in service as a Group 'D' employee. This assertion is countered by the counsel for the applicant. The respondents shall consider the case of the applicant for being regularised in service as a Group 'D' employee, if she is eligible.

With these observations, this O.A. is disposed of finally but without any order as to costs.


(B.K. SINGH)
MEMBER (A)


(S.K. DHAON)
VICE CHAIRMAN

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