

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

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O.A. No.987 of 1994

New Delhi this the 4th day of March, 1997.

Hon'ble Shri Justice K.M. Agarwal, Chairman.

Hon'ble Shri N. Sahu, Member (A).

Shri Vijay Pal

House No.1962
Chandulal Harijan Mohalla,
Kotla Mubarakpur,
New Delhi

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Applicant

(By Advocate: Shri H.P. Raju)

Versus

1. Union of India
through its Secretary
Department of Women and
Child, Ministry of Human
Resources, ICCU Building,
New Delhi.

2. The Under Secretary
Department of Women and Child,
ICCU Building
New Delhi

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Respondents.

(None for the respondents).

O R D E R

Shri Justice K.M. Agarwal:

This is an application under Section 19 of the Administrative Tribunals Act, 1985 for declaring that the applicant is a temporary employee and to treat him in continuous service since June, 1993.

2. The applicant claims to have worked in the Department of Women and Child Development, New Delhi on daily wage basis

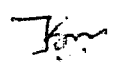
since June, 1991 and as per the certificate (Annexure A-2).

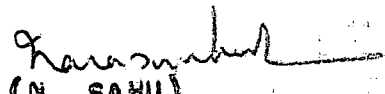
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he was on such daily wage basis for the period between June 1991 and February, 1992. Further documents filed as Annexure A-3 and Annexure A-4 would show that he continued in such employment till January, 1993. It is alleged in paragraph 4.3 of the application that after February, 1992, he was transferred to the National Commission for Women, 4, Deen Dayal Upadhyaya Marg, New Delhi, where he worked till 3.6.1993. After 3.6.1993, his services were discontinued which impelled him to file the application before the Labour Commission who was pleased to direct him to approach the concerned authorities. Thereafter the present application for the said reliefs was filed.

3. After hearing the learned counsel for the applicant and perusing some orders passed by this Tribunal in similar cases, we are of the view that the applicant is not entitled to any of the reliefs claimed in the application as per the scheme formulated by the Government. He appears to be entitled to get a temporary status in the said department being recognised and accordingly a direction to the respondents to consider his case for appointment on regular basis as and when a vacancy arises.

4. In the result, this application is allowed to the extent of directing the respondents to give the applicant a temporary status and to consider his case for appointment against any vacancy that occurs in near future. No costs.


(K.P. AGARWAL)
CHAIRMAN


(N. SAHU)
MEMBER (A)