

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1174/2000

New Delhi this the 6th day of December, 2000.

HON'BLE MR. JUSTICE V. RAJAGOPALA REDDY, VICE-CHAIRMAN

Shri Prahlad Kumar;
working as casual labour in the office (P&AO)
of Controller of Accounts, Ministry of Petroleum
& Natural Gas,
Shastri Bhawan,
New Delhi.

... Applicant

(By Advocate: Shri Yogesh Sharma)

-Versus-

1. Union of India through
its Secretary,
Ministry of Petroleum & Natural Gas,
Govt. of India,
New Delhi.

2. The Controller of Accounts
Office of Controller of Accounts,
Room No. 314, 'B' Wing,
Shastri Bhawan,
New Delhi.

.... Respondents

(By Advocate: Shri R.V. Singh for Shri R.V. Sinha)

O R D E R (ORAL)

Justice V. Rajagopala Reddy, Vice-Chairman (J):

Heard the learned counsel for the applicant and the respondents.

2. It is the case of the applicant that he has worked for more than 206 days in a year and hence he is entitled for grant of temporary status and for preferential claim for re-engagement.

3. In the counter-affidavit it is admitted that he has worked from 21.10.98 to 22.7.99. But it is also stated that he has not worked for 206 days in a calendar year. It is also stated that there is no work available to

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re-engage the applicant or any other casual labourer. In view of the statement made by the respondents that he had been engaged from 22.12.98 to 22.7.99 it should be treated that the applicant has worked for more than 206 days in a period of 12 months. It is not necessary ^{or in order} to comply with the condition of the scheme that one should work 206 days in a calendar year. It is enough if he works for 206 days in a period of 12 months. It is, therefore, clear that the applicant has worked for 206 days. Hence, he is ~~not~~ entitled for conferring temporay status.

3. I, therefore, direct the respondents to consider the case of the applicant for grant of temporary status and for re-engagement of the applicant if there is any work, ^{on terms of the scheme and} in preference to juniors and outsiders. No costs.

V. Rajagopala Reddy
(V. Rajagopala Reddy)
Vice-Chairman (J)

'San.'