

Central Administrative Tribunal, Principal Bench

Original Application No.1288 of 2000

New Delhi, this the 12th day of February, 2001

Hon'ble Mr.Kulidip Singh,Member (J)

Mahesh
S/o Shri Babu Lal
R/o House No.161
Sanjay Nagar
Near Pandav Nagar
Meerut Cantt.

- Applicant

(By Advocate - Shri S.K.Gupta)

Versus

1. Union of India
through Secretary
Ministry of Defence, South Block
New Delhi

2. Deputy Director General of
Military Farm (QMG Branch)
Army Headquarters
West Block-III
R.K.Puram, New Delhi-66

6. Officer Incharge
Military Farm,
Mawana Road, Meerut Cantt.
Meerut

- Respondents

(By Advocate: Shri J.B.Mudgil)

O R D E R (ORAL)

By Hon'ble Mr.Kulidip Singh,Member(J)

Applicant has filed this OA under Section 10 of the Administrative Tribunals Act whereby he has challenged the order dated 13.12.98 discharging him from service.

2. Facts in brief are that applicant was sponsored by the employment exchange to work as Farm Hand on casual basis under the respondents. He alleges that he had worked under respondents during the period 1986 to 1998 and in the years 1997 and 1998, he had worked for more than 240 days. Applicant

Kul

states that he is a senior casual labour as per the seniority list maintained by the respondents and therefore, he is entitled for re-engagement in preference to juniors and outsiders. He has also stated that since he has completed more than 240 days of service in a year, he is entitled for conferment of temporary status also.

3. Respondents are contesting the OA. They have submitted that the services of the applicant were disengaged because of reduction of work as many of the animals who were kept on the farm, were transferred to other farm houses. It is submitted that as no work is available, applicant has not been considered for re-engagement.

4. After hearing rival contentions of learned counsel for the parties, I dispose of this OA with a direction to respondents that if work is available, they shall consider the applicant for re-engagement in preference to juniors and outsiders. After re-engagement of applicant, respondents shall verify from their records whether the applicant has put in service for requisite number of days which entitles him for conferment of temporary status and if it is found on verification that he has completed 240 days of service in a year, they shall confer temporary status upon him in accordance with Government of India Scheme 10.9.93.

J.W.

5. O.A. stands disposed of with the above directions. No costs.

Kuldeep
(Kuldeep Singh)
Member(J)

/dinesh/