

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1432/2000

New Delhi, this 13th day of December, 2001

Hon'ble Shri M.P. Singh, Member(A)

Arvind Kumar Srivastav
27B/14, Main Sagarapur
Street NI.5/5, New Delhi-110019 .. Applicant

(By Dr. R.S.Bedi, Advocate)

versus

Union of India, through

1. Secretary
Ministry of Tribal Affairs
Shastri Bhavan, New Delhi
2. Secretary
Ministry of Social Justice & Employment
(NGO TA Division)
Shastri Bhavan, New Delhi .. Respondents

(By Shri Madhav Panickar, Advocate)

ORDER(oral)

Heard the learned counsel for the parties. By the present OA, applicant seeks directions to the respondents to regularise his services as Data Entry Operator and also to release backwages to him.

2. The admitted position of the case that the applicant was engaged as Data Entry Operator on daily wages basis under Respondent No.2 with effect from 9.7.98 which was extended from time to time in spells till 30.9.99, after which his services were discontinued. Like the applicant many other persons were also engaged as such whose services have also been dispensed with. According to the respondents, there is no post of Data Entry Operator available with them against which the services of the applicant could be adjusted.

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3. During the course of the arguments, learned counsel for the applicant submitted that a direction may be given to the respondents to consider re-engagement of the applicant as and when vacancy is available in preference to freshers and newcomers, for which the learned counsel for the respondents has no objection. In view of this position, I feel that ends of justice would be duly met if a direction is given to the respondents on the above lines. I do so accordingly. Respondents are also directed to release the salary to the applicant for the period he actually worked after verifying the records on the basis of daily attendance register available with them. At this stage, learned counsel for the respondents submitted that the applicant has locked the code of computer and therefore salary can be released to him only when he unlocks the code. Learned counsel for the applicant undertakes to inform the applicant to unlock the code before he is paid the salary due to him.

4. The OA is disposed of in the above terms. No costs.


(M.P. Singh)
Member(A)

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