

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.2057/2000

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)

New Delhi, this the 7th day of December, 2000

1. Jag Naresh
s/o Shri Tilak Ram
r/o-1600, Sector-V
R.K.Puram
New Delhi.

2. Rajbir Singh
s/o Shri Charan Singh
r/o K-219, Kali Bari Marg
New Delhi. ... Applicants

(By Shri A.K.Trivedi, Advocate)

Vs.

1. Union of India through
Chief Controller of Accounts
Ministry of Finance,
Room No.240-B
North Block
New Delhi - 110 001.

2. The Pay & Accounts Officer (CPS)
Office of the Chief Controller of Accounts
Ministry of Finance
Principal Accounts Office
Room No.240-B, North Block
New Delhi - 110 001. ... Respondents

(By Shri K.C.D.Gangwani, Advocate)

O R D E R (Oral)

The applicants are casual labourers working in various capacities including the filling of water ~~in~~ the Coolers since 1997 with intermittent breaks.

~~Therefore~~, They have completed 206 days in a year.
I claim that they
Hence they are entitled for grant of temporary status.

The respondents have, however, disputed the claim made by the applicants and submit that they have not worked 206 days. Hence ^{it is agreed that} they are not entitled for grant of temporary status.

CR

[2]

2. It is seen that the applicants have approached this Tribunal in more than one OA seeking the same relief as is claimed here. The earlier Judgements cannot be treated as res-judicata as they have been engaged subsequent to the passing of those orders and by virtue of the subsequent working days they may be entitled for consideration for grant of temporary status. Even from the averments made by the applicants, it cannot be said that the applicants had completed the 206 days in a period of one year.

3. It is however stated by the respondents that as and when work is available the applicants would be engaged and that no other freshers or juniors are taken in the place of the applicants. In view of these facts, no relief can be granted for the applicants except directing the respondents not to disengage the applicants to engage freshers or juniors. The respondents are also directed to engage the applicants whenever there is ~~any~~ work including of casual nature, not necessarily the work of water coolers, in preference to outsiders and freshers. With these directions the OA is ~~therefore~~ disposed of. It is however open to the applicants that in future if they complete 206 days, they may make representation to the respondents which should be considered in terms of the Scheme for Grant of Temporary Status. No costs.

Ambygopal Reddy
(V.RAJAGOPALA REDDY)
VICE CHAIRMAN(J)

/RAO/