

Central Administrative Tribunal
Principal Bench

O.A. 21/2000
M.A. 15/2000

New Delhi this the 19 th day of September, 2000

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Hon'ble Smt. Lakshmi Swaminathan, Member(J).

1. Sushil Mohan,
S/o Shri Ram Kumar,
RZ 16/1, Indra Park,
Palam Colony,
New Delhi-45.
2. Dharamvir Singh,
S/o Shri Ram Singh,
R/o 203/2, Sadhnagar,
Gali No. 12, Palam Colony,
New Delhi-45.

... Applicants.

(By Advocate Shri B.N. Bhargava)

Versus

1. Union of India through
the Secretary,
Ministry of Defence,
South Block,
New Delhi.
2. The Commanding Officer,
RCP Depot, Ministry of Defence,
Air Force Station,
Palam,
New Delhi-10.

... Respondents.

(By Advocate Shri R.V. Sinha)

O R D E R

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

The applicants who have been employed by the respondents as casual labourers on 9.9.1999 are aggrieved that this has been done only for a period of twenty days although they state that they are continuing with the respondents. They have filed this O.A. seeking a direction to the respondents not to replace them by freshers so that

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they can get temporary status after completion of required number of days.

2. MA 15/2000 filed by the applicants seeking to file joint application is unopposed. That MA is accordingly allowed.

3. Shri B.N. Bhargava, learned counsel relying on the ad-interim order dated 7.1.2000 has submitted that the respondents were directed to maintain status quo and hence the applicants should be deemed to continue in service and allowed to work as casual labourers.

4. The respondents have stated that the applicants have been engaged for intermittent periods as casual labourers and the same is over. They have ~~also~~ stated that there is no job/vacancy available with them to employ the applicants. They have also stated that the applicants have not completed the required number of days, as required in the relevant DOP&T Scheme for grant of temporary status. Shri R.V. Sinha, learned counsel has stated that in case the respondents decide to consider engagement of casual labourers when work becomes available, the casual labourers will be engaged on seniority basis subject to good conduct and the case of the applicants will also be considered in accordance with the Rules. This has also been stated in paragraph 5 of the counter reply.

5. It is noted that the main prayer of the applicants is that a direction may be given to the respondents not to replace the applicants with freshers so that their chances of getting the temporary status may not be damaged. Noting the averments made by the respondents in their reply that they have stated that there is no vacancy available with them and that they have also not engaged freshers, I do not see any merit in this O.A. The same is accordingly dismissed. No order as to costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member(J)

'SRD'