

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No.570 of 2000

New Delhi, this the 24th January, 2001

HON'BLE MR. KULDIP SINGH, MEMBER (JUDL)

Shri Krishan Pal
Aged 29 years
S/o Shri Ranjit Singh
R/o 12/271 Kalyanpuri,
Delhi-110 091.

- APPLICANT

(By Advocate: Shri M.L. Chawla)

Versus

1. Union of India (Through the Secretary
to the Govt. of India,
Min. of Defence)
Central Secretariat, South Block,
New Delhi-110 011.

2. The Joint Secretary & CAO (Training)
Ministry of Defence,
Govt. of India,
Central Secretariat,
South Block,
New Delhi-110 011.

3. The Director of Administration
(Maintenance Section)
Dte. of Administration, Naval HQrs.
'A' Block Hutments,
New Delhi-110 011.

-RESPONDENTS

(By Advocate: V.S.R. Krishna)

O R D E R (ORAL)

By Hon'ble Mr. Kuldip Singh, Member (Judl)

The applicant in this case is seeking re-engagement as a casual labourer in the respondents office. The applicant submits that the department had issued an advertisement/Press Notice whereby they had invited applications from the erstwhile casual workers to apply if they are interested for re-engagement. The applicant submits that he had made an application in response to the said advertisement/Press Notice dated 14.3.97 issued in Nav Bharat, but thereafter he had not

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been given any response and he had come to know that the department is engaging casual labourer through Contractor, which shows that the work is still available with the respondents.

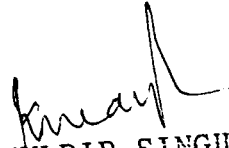
2. On the contrary Shri V.S.R. Krishna appearing for the department, submits that they have filed an affidavit by Shri B.S. Bajwa, Commodore, DOA, wherein it has been averred that no such type of application has ever been received. It is further stated that since the applicant has not applied in time, so the question of reengaging him does not arise. However, the counsel for the applicant who had annexed along with this OA a copy of the original application, Annexure A-3, bears the stamp of the Chief of the Naval Staff, DOA Maintenance, New Delhi and has also shown to me the Original Application and submits that, in fact, the applicant had applied vide this application so his application should have been considered by the department whereas the same appears to have been ignored by the department.

3. The learned counsel for the respondents submits that let the department verify from their record if such type of application had ever been received by them and if they found that the application is received by them, then they will reconsider the re-engagement of the applicant. So in view of these submissions, the OA is disposed of with a direction to the respondents to verify the record and if after verification it is found that the application as per Annexure A-3 was received by



the respondents in time, then they shall re-engage the applicant in preference to juniors and outsiders. For this purpose, the applicant will visit the office of the respondents along with the original application. Thereafter the respondents shall pass a speaking order thereon within a period of one month after the applicant approaches the respondents. If still there is any grievance, the applicant would be at liberty to file a fresh OA.

No costs.


(KULDIP SINGH)
MEMBER (JUDL)

/Rakesh