

18

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO. 589/2000

Wednesday, this the 9th May of 2001

Hon'ble Shri S.A.T. Rizvi, Member (A)

Sonpal Singh
S/O Sh. Ajit Singh
R/O Indher Bajera
Tehsil - Anoopshahr
District Bulandshahr

..Applicant
(By Advocate: Ms. Meenakshi for Mrs. Rani Chhabra)

Versus

1. Union of India
through its Secretary,
Ministry of Defence,
New Delhi.
2. Controller, General Defence Accounts,
5 R.K. Puram,
New Delhi.
3. Controller of Defence Accounts,
(Central Command)
Meerut Cantt.
4. Joint Controller of Defence Accounts
(Funds)

..Respondents

(By Advocate : Mrs. P.K. Gupta)

O R D E R (ORAL)

Heard the learned counsel on either side and
perused the material placed on record.

2. The applicant has admittedly worked as casual labourer in the office of respondent No.4 w.e.f. 30.6.1998 upto 10.9.1999 in different spells with no spell exceeding 89 days. The total service thus rendered by the applicant works out to 108 days in 1998 and 90 days in 1999 making a total of 198 days in all. His services have been dispensed with w.e.f. 10.9.1999 due to non-availability of work in the respondents' set up.

2

(3)

3. The applicant has failed to produce any evidence to show that he has worked as casual labourer under the respondents for more than 240 days as stated in the OA. The document filed by the applicant placed at Annexure A-1 is totally insufficient to prove that he has worked as a casual labourer for 240 days or more. In fact, the aforesaid document shows that the applicant worked in the respondents' set up for just about one month.

4. In the circumstances, it is not possible to consider the claim of the applicant for the grant of temporary status in accordance with the DOPT's Scheme of 10.9.1993 and since work is not available just now to accommodate the applicant as a casual labourer once again, it is not possible either to give a direction to the respondents to reengage the applicant as a casual labourer straight-away. The learned counsel appearing for the respondents has fairly conceded that it would be possible for the respondents to consider reengaging the applicant on casual basis once again as and when work of a casual nature becomes available in the respondents' set up.

5. For all the reasons mentioned in the preceding paragraphs, the OA is disposed of with a direction to the respondents to consider reengaging the applicant as a casual labourer as and when work of ^{> a ~} casual nature becomes available, ~~and~~ this they should do keeping in view the service already rendered by the applicant. The respondents are directed accordingly to reengage the

d

(3)

applicant as and when found feasible in preference over juniors/freshers/outsiders.

6. The OA is disposed of in the aforesated terms.

No costs.

S.A.T. Rizvi

(S.A.T. Rizvi)
Member (A)

/sunil/