

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.717/2000

New Delhi this the 17th day of November, 2000

HON'BLE MR. V.K. MAJOTRA, MEMBER(A)

1. Ashok Kumar
Vill Miyan Wala, PO Harrawala
Dehradun (UP)
2. Anju Nautiyal
131 Block II Chukhuwala
Dehradun (UP)
3. Muninder Pal Singh
58 Block I, Govind Nagar
Race Course, Dehradun (UP)
4. Dinesh Chander
IIP Colony
G-63, Mokhampur, Dehradun (UP)

-Applicants

(By Advocate: Shri J. Buther)

Versus

1. Union of India
Ministry of Science & Technology
1, Rafi Marg, New Delhi
Through its Secretary
2. Council of Scientific & Industrial Research
1, Rafi Marg, New Delhi
Through its Director General
3. Indian Institute of Petroleum
Mohkam (P.O), Dehradun (UP)
Through its Director

-Respondents

(By Advocate: Ms. K. Iyer)

ORDER (Oral)

Mr. V.K. Majotra, Member(A)

The applicants have worked as Project Assistant/Computer Operator/Lab Assistant with Indian Institute of Petroleum, Respondent No.3 between 1993 and 1999. Their services were terminated w.e.f. 30.4.1998. It is alleged that they have not served any notice and the termination of their services is in violation of principles of natural justice. They have made representations dated 23.3.2000 and 13.4.2000 which have remained unresponded.

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The learned counsel of the applicants drew my attention to the order dated 17.11.99 in OA-1292/99 and OA 938/99 which was disposed of vide order dated 25.1.2000 contending that the instant case is squarely covered by the aforestated orders. The learned counsel of the respondents has taken exception that the application is barred by limitation as cause of action for the applicants has arisen on 30.4.99 when their services automatically terminated on completion of the project/scheme. The learned counsel of the applicants has stated that the applicants have filed representations which remained unreplied and the present OA has been filed within one year of the order of termination of the services of the applicants. In view of the facts stated above, the objection as to limitation is rejected.

2. The learned counsel of the respondents stated that the respondents are in the process of framing the Scheme for regularisation/absorption of such project employees in pursuance of the orders of the Hon'ble Supreme Court and the respondents would be taking necessary action regarding absorption/regularisation/engagement of workers covered under the Scheme.

3. The applicants have worked with the respondents for a period of about six years and ^{by}~~were~~ certainly deserved consideration for re-engagement in terms of the Scheme under preparation on directions of the Apex court. The learned counsel for the applicants submits that the cases of applicants are covered by the aforesaid judgment. Adopting the reasons given in those judgments, I feel that the OA deserves to be allowed in the following terms:-

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i) If the respondents have vacancies/jobs to offer of the nature the applicants were doing, the applicants shall be given preference to over freshers and new comers.

ii) Respondents shall consider offering opportunities alongwith others to those of the applicants who were eligible and have requisite qualifications for the jobs advertised.

iii) No costs.

V.K. Majotra

(V.K. Majotra)
Member (A)

cc.