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Central Administrative Tribunal
Principal Bench

C.P. No. 378 of 2000
in
O.A. No. 596 of 2000

New Delhi, dated this the 3rd MAY, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

1. Shri Daya Ram,
S/o Shri Ganga Ram
O/o Superintending Engineer,
Planning Circle, CWC,
Faridabad.
2. Shri Dalip Singh
3. Darshan Singh
4. Sangam Bishore
5. Hans Raj
6. Surender Kumar Thakur
7. Padam Singh

.. Applicants

(By Advocate: Shri B.S. Mainee)

Versus

1. Shri Z. Hasan,
Secretary,
Ministry of Water Resources,
Shram Shakti Bhawan,
Rafi Marg, New Delhi.
2. Shri R.S. Prasad,
Chairman,
CWC, Sewa Bhawan, R.K. Puram,
New Delhi.
3. Shri B. Vashisht,
Chief Engineer (HRM),
C.W.C., Sewa Bhawan, R.K. Puram,
New Delhi.
4. Shri K.K. Bhandari,
Superintending Engineer,
Planning Circle,
C.W.C.
Gr. No. 165, Type V,
NH-IV,
Faridabad-121001.

.. Respondents

(By Advocate: Shri A.K. Bhardwaj)

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ORDERS.R. ADIGE, VC (A)

Heard both sides on C.P. No. 378/2000 alleging contumacious disobedience of the Tribunal's order dated 12.9.2000 in O.A. No. 596/2000.

2. In O.A. No. 596/2000 applicants had impugned respondents' notice dated 21.3.2000 terminating their services on the ground that most of the works for which they had been engaged against posts in Central Stores Division had been transferred and there was no need for their services.

3. The O.A. was dismissed by order dated 12.9. 2000 after the Bench had noticed that respondents had tried to accommodate applicants by transferring them to another Division, i.e. Narmada Division in Bhopal.

4. Applicants contend that they had reported for duty in Narmada Division, Bhopal on 27.9.2000, but they were not allowed to join duty there and were directed to go back to Faridabad from where they had come.

5. On the other hand respondents contend that applicants were relieved from Faridabad on 26.9.2000. In fact they were free to go to Narmada Division, Bhopal even prior to 26.9.2000, since they had already been declared surplus in March, 2000, and

an offer of appointment in Bhopal had been made to them vide Memo dated 18.4.2000 (Annexure I to reply to C.P.), but applicants had not accepted the offer as they were not agreeable to one of the conditions therein, namely, that their appointment would be against deposit work of NCA and would be declared surplus/terminated by end March 2004 or on completion of deposit work, whichever was earlier.

6. In the light of the aforesaid facts and circumstances, it cannot be said that respondents had not made efforts to accommodate applicants by giving them alternative opportunity for work in Narmada Division, Bhopal. If applicants are aggrieved by any of the terms and conditions of the offer of employment in Narmada Division, Bhopal it is open to them to challenge the same separately in accordance with law, if so advised.

7. Giving leave to applicants as aforesaid the C.P. is dropped. Notices discharged.

A. Vedavalli
(Dr. A. Vedavalli)
Member (J)

S.R. Adige
(S.R. Adige)
Vice Chairman (A)

karthik