

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP 565/2001
in
OA 1448/2000

(9)

New Delhi, this the 20th day of February, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)
Hon'ble Shri Govindan S.Tampi, Member (A)

Shri Dinesh Razak
S/o Shri Ganesh Razak
E-351, J.J.Colony
Inder Puri
New Delhi - 110 012.

(By Advocate Shri P.S.Mahendru with
Shri S.K.Anand) ...Petitioner

V E R S U S

1. Shri J.N.L.Srivastava
Secretary
Ministry of Agriculture
Department of Agriculture & Cooperation
Krishi Bhawan
New Delhi.
2. Shri S.K.Pandey
Director (Administration)
Directorate of Extension
Krishi Vistar Bhavan
Pusa, New Delhi.

(By Advocate Shri K.R.Sachdeva) ...Respondents

O R D E R (ORAL)

By Hon'ble Smt. Lakshmi Swaminathan, VC (J)

We have heard both the learned counsel for the parties and also perused the additional affidavit filed by the respondents dated 14-2-2002 in pursuance of the further directions given by the Tribunal on 8-1-2002.

2. Further to the aforesaid additional affidavit giving details of the actions taken by the respondents in compliance of the Tribunal's order dated 9-5-2001 in OA 1448/2000, Shri K.R.Sachdeva, learned counsel for the respondents has tendered an unconditional apology on behalf of the respondents for the delay which has occurred in implementing the

orders totally. He has also submitted a copy of the order issued by the respondents dated 12-2-2002, copy placed on record. After this order, both learned counsel submit that the applicant has been re-engaged as Casual Labour after the respondents prepared the seniority list of Casual Labourers which, we were told, was done on 14-1-2002. Seeing that the applicant has the maximum number of days as Casual Labourer for the years 1990-2001, learned counsel for the respondents has submitted that thereafter, the respondents have taken steps to re-engage the petitioner who is admittedly back in employment as Casual Labour.

3. We note the above facts and submissions, that it was the concerted efforts of the learned counsel for the respondents with the officers, which has resulted in the aforesaid proper action being taken by the respondents, though somewhat belatedly, in re-engaging the petitioner in preference to freshers/juniors/outsiders in February, 2002. In the facts and circumstances of the case, we accept the apology tendered by the learned counsel for the respondents on their behalf, noting that they have not wilfully disobeyed the Tribunal's order. Apart from this, we also note that in the cases of some other persons who had been engaged for short periods after the Tribunal's order dated 9-5-2001 has been passed, the respondents have rectified their mistakes by preparing a proper seniority list and ~~they~~ have taken remedial action.

4. In view of the facts and circumstances of the case, we do not consider it necessary to proceed

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further in CP 565/2001. CP is accordingly dismissed.

Notices to the alleged contemnors are discharged.

File be consigned to the Record Room.

(GOVINDAN S. TAMPI)
MEMBER (A)

Lakshmi Swaminathan
(SMT. LAKSHMI SWAMINATHAN)
VICE-CHAIRMAN (J)

/vks/