

Central Administrative Tribunal  
Principal Bench New Delhi.

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Date of decision: 12.5.1989.

Regn. NO. O.A. 306/89.

Shri Raj Kumar ... Applicant.

Vs.

UOI & Ors. ... Respondents.

CORAM:

Hon'ble Mr. P.Srinivasan, Member (A)

Hon'ble Mr. T.S. Oberoi, Member (J).

For the applicant: Shri S.K. Bisaria, counsel.

For the respondents: Shri M.L. Verma, counsel.

JUDGMENT.

This application has come up before us for admission today.

2. Counsel for the parties have been heard.

3. The grievance of the applicant in this application is that having worked as a daily wage worker from 4th May, 1987 till 3rd January, 1989, the respondent No. 3, namely, the Pay & Accounts Office, Lady Hardinge Medical College, New Delhi, <sup>Suddenly</sup> informed him that his services were no longer required. The applicant complains that though he was only a daily wage worker, respondent No. 3 dispensed with his services and not of those four persons named in the application, who were also similarly situated. He had worked to the satisfaction of his employers and he had even obtained a certificate appreciating his services, which is annexed at page 6 of the application.

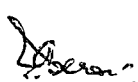
P. Srinivasan


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4. Shri M.L. Verma, counsel for the respondents, submits that casual workers are engaged as and when there is work. The establishment of the respondent No. 2 is divided into several units in the city and in the particular office where the applicant was engaged, there was no need to have <sup>a</sup> casual worker on <sup>and</sup> ~~or~~ after 3.1.89, and that was why his services were dispensed with. The other four persons named in the application were working in the other units where there was continuous <sup>ed of</sup> need for their services. Thus, there is no question of any seniority as between the applicant and <sup>the</sup> ~~four~~ other persons from which it can be checked whether the services of the junior-most person have been dispensed with.

5. Shri M.L. Verma, counsel for the respondents was assisted by Shri Lalit Gupta, Junior Accounts Officer in the office of respondent No. 3. Shri Gupta explained that there are seven units under respondent No. 2 in Delhi, one of which was the office of respondent No. 3.

6. After hearing counsel on both sides, we feel that the application can be disposed of at this stage itself with proper directions. We direct the respondents to examine whether there is a need for a casual worker in any other office under respondent No. 2 and, if so, give the applicant priority in the matter of appointment <sup>if</sup> as he has already worked with respondent No. 3 for <sup>two years</sup> ~~a nearly~~ period of ~~one year~~, though it is not clear whether it was ~~a~~ continuous employment. With these directions, the application is disposed of at the stage of admission itself, leaving the parties to bear their own costs.

  
(T.S. Oberoi)  
Member (J)

  
(P. Srinivasan)  
Member (A)