

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

(6)

O.A. No. 2716/90
T.A. No.

199

DATE OF DECISION 3.5.1991

<u>Shri Raj Kumar & Others</u>	x Petitioner Applicant
<u>Shri Jog Singh</u>	Advocate for the Petitioner(s) Applicant
Versus	
<u>U.O.I. through Secretary, Min.</u> of Food Processing Industries	Respondent
<u>Shri M.L. Verma</u>	Advocate for the Respondent(s)

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The Hon'ble Mr.P.K. KARTHA, VICE CHAIRMAN(J)

The Hon'ble Mr.B.N. DHOUDIYAL, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? */No*
4. Whether it needs to be circulated to other Benches of the Tribunal? */No*

JUDGMENT(of the Bench delivered by Hon'ble Mr. P.K. Kartha,
Vice Chairman(J))

The five applicants before us have worked as casual labourers in the office of the respondents for period ranging from 6.6.1990 to 30.9.1990. Their services have been continued by virtue of the stay order passed by the Tribunal on 21.12.1990 and continued thereafter till the application was finally heard on 29.4.1991.

2. The case of the applicants is that there is enough work in the office of the respondents in which they could be accommodated. They have also stated that their work and conduct had been satisfactory.

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3. The case of the respondents is that there are no vacancies to accommodate the applicants in their office and that they have been continued in service only by virtue of stay order given by the Tribunal.

4. After hearing the learned counsel of both parties and going through the records of the case carefully, we dispose of the present application with the direction to the respondents to consider engaging the applicants as casual labourers if any vacancies exist or arise in the future, in preference to their juniors having lesser length of service as casual labourers and outsiders. This is also subject to the condition that the applicants fulfil the requirements for appointment as casual labourers in all respects. The interim order passed on 21.12.1990 and continued thereafter, is hereby vacated.

There will be no order as to costs.

B.N. Dhondiyal
(B.N. Dhondiyal)
Administrative Member

Keary
(P.K. Kartha)
Vice-Chairman(Judl.)