

174

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

C.P. NO. 67/93 in
O.A. NO. 2306/90

New Delhi this the 11th day of May, 1994

CORAM :

THE HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN
THE HON'BLE MR. P. T. THIRUVENGADAM, MEMBER (A)

Shamsher Mian S/O Salamat Mian,
Labourer, R/O RZ-30.F, Gali No.24,
Indra Park, Palam Colony,
New Delhi.

... Petitioner

By Advocate Mrs. Pankaj Bala Verma

Versus

Mrs. Fahmida Begum,
Director, Bureau of
Promotion of Urdu,
West Block-I,
R. K. Puram,
New Delhi.

... Respondent

By Sr. Advocate Shri P. H. Ramchandani

O R D E R (ORAL)

Shri Justice V. S. Malimath -

The complaint in this case is about the violation of the directions issued in O.A.2306/90. The direction therein is that the respondents should consider the case of the petitioner for reengagement and in due course for regularisation in accordance with the scheme to be prepared by the Department of Personnel and Training having regard to the length of service put in by him as casual labourer. No scheme as such was there on the date on which the judgment was rendered. We are informed that the scheme was prepared subsequently which, inter alia, provides for reengagement and regularisation of those who were

in service as on 1.9.1993. As the petitioner was not in service on that day, he did not qualify for reengagement and regularisation of his service in accordance with the said scheme. The learned counsel for the respondents says that the petitioner has ceased to be on the rolls for service from the year 1986 onwards. Hence, it is not possible to take the view that there is any violation of the direction of the Tribunal, as the petitioner would have been entitled to reengagement and regularisation only if he had qualified in accordance with the scheme. As he did not qualify in accordance with the scheme the question of reengagement or regularisation does not arise. Hence, no action under the Contempt of Courts Act is called for in these proceedings.

2. Shri P. H. Ramchandani, learned counsel for the respondent, however, submitted that there is some ^{short term} job of a Waterman, and if the petitioner is willing to take the same, it could be offered to him. There is no good reason why the petitioner should not accept it, particularly because otherwise he has no right to claim any rights against the respondent. If the petitioner does not accept the job offered to him within a week from this date, the respondents will not make that offer either.

3. These proceedings are dropped.

P. T. Thiruvengadam

(P. T. Thiruvengadam)
Member (A)

V. S. Malimath

(V. S. Malimath)
Chairman

/as/