

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

OA NO.990/90

DATE OF DECISION:11.05.1992.

SHRI SURESH KUMAR

...APPLICANT

VERSUS

UNION OF INDIA & OTHERS ...RESPONDENTS

CORAM:-

THE HON'BLE MR. P.K. KARTHA, VICE-CHAIRMAN (J)

THE HON'BLE MR. I.K. RASGOTRA, MEMBER (A)

FOR THE APPLICANT SHRI V.K. MEHTA, COUNSEL.

FOR THE RESPONDENTS SHRI M.L. VERMA, COUNSEL

JUDGEMENT (ORAL)

(DELIVERED BY HON'BLE MR. P.K. KARTHA, VICE-CHAIRMAN (J))

We have heard the learned counsel of both parties.

2. The grievance of the applicant xxxxxxxxx who has worked as Casual Labourer from 13.7.1987 to 31.5.1989 relates to the termination of his services while retaining the services of two of his juniors. The learned counsel for the applicant also states that Shri Sunder Lal and Shri Mahavir Singh who were appointed on subsequent dates have already been regularised.

3. The services of the applicant came to be dispensed with, as he had gone to his home-town to get married and he was away from the office of the respondents from 25.5.1991 to 9.6.1989. When he returned back for duty he was not engaged by the respondents.

4. The respondents have stated in their counter-affidavit that the applicant is not registered with the Employment Exchange and that he has also not been sponsored by the Employment Exchange. The learned

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counsel for the applicant submits that the other Casual Labourers who were engaged alongwith the applicant had also not been sponsored by the Employment Exchange. He has, however, produced copy of the registration of the applicant with the Employment Exchange alongwith his rejoinder. He has also shown to us a copy of the current registration with the Employment Exchange and has stated so in the rejoinder.

5. There is nothing on the record to indicate that the performance and the conduct of the applicant were not upto the mark. The applicant had worked for over two years in the office of the respondents. We, therefore dispose of the present Application with the direction to the respondents to consider re-engagement of the applicant and his regularisation in accordance with the relevant administrative instructions, issued by the Department of Personnel & Training, in view of the fact that the applicant had rendered two years' of service as a Casual Labourer continuously. The respondents shall comply with this direction within a period of three months from the date of receipt of this order.

6. There will be no order as to costs.

Sukhpal
(I.K. RASGOTRA)
MEMBER(A) 4/5/92

Om
(P.K. KARTHA)
VICE-CHAIRMAN(J)

May 11, 1992.

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