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VERSUS

DATE OF DECISION: 24.12.91.

...APPLICANT

VERSUS

## ... RESPONDENTS

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2. The learned counsel for the applicant submitted that the services of the applicant were terminated while her juniors were retained in service. He also cited in support of his case the decision of the Tribunal dated 20.7.1990 in OA 1289/89.

3. The learned counsel for the respondents on the other hand submitted that the persons junior to the applicant were kept in service in terms of the various orders of the Tribunal. He also emphasized that the period of service of the applicant amounting to 240 days was not continuous.

4. We have heard the learned counsel for both the parties and perused the records. On 5.6.1991 when the case came up for admission, we had directed the respondents "to consider <sup>engaging</sup> the applicant as casual labourer in preference to juniors and outsiders." This interim order has been continued from time to time. However, the applicant has not been reengaged eventhough her juniors are continuing in service.

Having regard to the facts and circumstances of the case, particularly, there being 11 vacancies in the Sports Complex under the Education Department, the continuation of the interim order passed by us on 5.6.1991 and the continuance of the applicant's and her having put in 240 days' service in 4 spells, juniors in employment/ we order and direct that the

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applicant shall be re-engaged against one of the existing vacancies in Group 'D' within a period of 8 weeks from the date of communication of this order.

There will be no order as to costs.

*J. P. Sharma*  
(J.P. Sharma)  
*in conch.*  
Member (J)

/SKK/ 24.12.91.

*I. K. Rasgotra*  
(I.K. Rasgotra)  
Member (A)

24.12.91.