

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI.

O.A.No.2239 of 1991

Date of Decision: 25.5.93.

Puran Chand & others ..... Applicants.

Versus

Union of India & others ..... Respondents.

CORAM:

Hon'ble Mr.Justice S. K.Dhaon, Vice-Chairman,

Hon'ble Mr.S.R.Adige, Member(A).

For the applicant: Shri Sanjiv Madan, for the  
applicant.

For the respondents: Shri N.K.Agarwal, Counsel.

JUDGMENT(ORAL)

(By Hon'ble Mr.Justice S.K.Dhaon, Vice-Chairman)

The allegations are these. Sometime in the year 1988, when the petitioners had acquired temporary status, they were retrenched from service without complying with the provisions of Section 25 F of the Industrial Disputes Act, 1947. Later on, fresh employment was given to some other persons who were not previously employed with the respondents.

2. Two prayers have been made in this application. The first is that the order of termination may be set aside and the respondents may be directed to reinstate the petitioners in service. The second is that the respondents should be directed to give preference to the petitioners in the matter of fresh employment in accordance with the provisions of the aforesaid Act.

3. This application was presented before this Tribunal sometime in September, 1991. In our opinion, the petitioners are guilty of laches in so far as the first relief is concerned. We do not consider it a fit case for interference in relation to that relief. However, we make it clear that it will be open

-2-

to the petitioner to raise an industrial dispute and get the matter referred for adjudication before an appropriate forum. It goes without saying that we are not making any recommendation, whatsoever, to the appropriate Govt. either to refer or not to refer the alleged industrial dispute.

4. So far as the second relief is concerned, it is stated in the counter affidavit that no one was given employment. We have no doubt that the respondents will act strictly in accordance with law if and when there is necessity of giving fresh employment.

5. With these observations, this application is disposed of finally. No order as to costs.

*Adige*  
(S.R.ADIGE)  
MEMBER(A)

*Say*  
(S.K.DHAON)  
VICE CHAIRMAN (J)

(ug)