

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

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O.A. NO. 2516/91

DECIDED ON : 27.7.1993

Om Vir Singh

... Applicant

Vs.

Union of India & Ors.

... Respondents

CORAM :

THE HON'BLE MR. JUSTICE S. K. DHAN, V.C.(J)

THE HON'BLE MR. B. N. DHOUNDIYAL, MEMBER (A)

Shri B. L. Madhok for Shri B. S. Mainee,  
Counsel for Applicant

Shri R. L. Dhawan, Counsel for Respondents

J U D G M E N T (ORAL)

Hon'ble Shri B. N. Dhoundiyal, Member (A) —

This O.A. has been filed by Shri Om Vir Singh requesting for a direction to the respondents to appoint him as an unscreened substitute as per their letter of offer of April, 1990. He has averred that during four years, i.e., 1986-89, he had worked for more than 120 days and thus he was entitled to the status of a temporary casual labour.

2. In the counter affidavit filed on behalf of the respondents it is stated that applications were invited from candidates who were middle pass and who had worked as casual labourers for more than 120 days continuously upto 31.12.1985, vide letter dated 19.10.1988. The applicant was also asked to submit the requisite papers and on the scrutiny it was revealed that he did not fulfil the condition of having worked continuously for more than 120 days upto 31.12.1985.

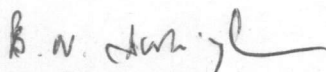
2. We have gone through the records of the case and also heard the learned counsel for the parties. The circular dated 19.10.1988 makes it clear that only those who are


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middle class pass and have worked for more than 120 days continuously at one spell upto 31.12.1985 should apply. Admittedly, the applicant does not fulfil these conditions and he is thus not entitled to be considered for appointment as an unscreened substitute. The applicant shall, however, be entitled to get the benefit of the scheme evolved by the Ministry of Railways to maintain a seniority list of all the casual labourers in the live casual<sup>labour</sup>/register and take up their cases for re-engagement/regularisation in accordance with their length of service. Hence, we direct the respondents that in case the applicant applies for inclusion of his name in the live casual labour register, they shall consider his case expeditiously in accordance with the rules on the subject.

3. With these directions, this application is finally disposed of. There shall, however, be no orders as to costs.

  
( B. N. Dhoundiyal )  
Member (A)

  
( S. K. Dhaon )  
Vice Chairman (J)

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