

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

(3)

C.P. NO. 319/94
M.A. NO. 3539/94
IN
O.A. NO. 2516/91

New Delhi this the 24th day of January, 1995

HON'BLE SHRI JUSTICE S. C. MATHUR, CHAIRMAN
HON'BLE SHRI P. T. THIRUVENGADAM, MEMBER (A)

Omvir Singh S/O Shiv Dayal,
R/O H. No. B-110, Arvind Nagar,
Village Ghonda, Seelampur,
Delhi - 110053.

... Applicant

(By Advocate Shri R. N. Saxena)

Versus

1. Union of India through
General Manager (Shri
Masihuzzaman), Northern
Railway, Baroda House,
New Delhi.

2. Shri R. N. Agha,
Divisional Railway Manager,
Engineering Deptt.,
Northern Railway,
State Entry Road,
New Delhi - 110001. ... Respondents

(By Advocate Shri R. L. Dhawan)

ORDER (ORAL)

Shri Justice S. C. Mathur -

The applicant alleges disobedience by the
respondents of the Tribunal's judgment and order dated
27.7.1993 passed in O.A. No. 2516/91.

2. In the aforesaid O.A., the claim of the applicant
was that he had worked as a casual labourer in the
administration for more than 120 days and his services
were arbitrarily dispensed with. It has been stated
by him that he had worked from 1986 to 1989. The
Tribunal issued direction to the administration in
following terms :-

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"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. It is not disputed now that the applicant's name has been brought on the live casual labour register and the applicant was issued re-engagement order on 9.12.1994 in pursuance whereof the applicant has joined duties on 2.1.1995.

4. Learned counsel for the applicant has, however, submitted that the compliance made by the respondents is not correct inasmuch as one Ishwar Singh who was junior to the applicant was given engagement from an earlier date. In the contempt application, the number of days for which the applicant worked as a casual labour and Ishwar Singh worked have not been indicated. It is, therefore, not possible to uphold the applicant's plea that Ishwar Singh was given re-engagement illegally.

5. In view of the above, the application lacks merit and is hereby dismissed, but without any order as to costs. Notice issued is hereby discharged.

P. T. Thiruvengadam

(P. T. Thiruvengadam)
Member (A)

S. C. Mathur

(S. C. Mathur)
Chairman

/as/