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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No. 2582/2004

New Delhi this the 27th day of October, 2004

Hon'ble Shri V.K. Majotra, Vice Chairman (A)

Shri Avedesh,
S/o Bhanwar Singh,
R/o Jhiggi No. 1299, 'B' Block,
Sector 8, NOIDA (U.P.)-201301
Distt. Gautam Budh Nagar (U.P.)

-Applicant

(By Advocate: Shri K.N. Bahuguna)

Versus

1. Union of India,
through the Secretary,
Ministry of Communication,
Department of Telecommunication
'Sanchar Bhawan', Parliament Street,
New Delhi-110 001
2. General Manager,
Telephone Exchange,
Sector-19, NOIDA (U.P.)-201301.

-Respondents

ORDER (Oral)

Learned counsel heard.

2. Applicant is stated to have worked with the respondents as part-time Casual Labour (Safai Karamchari) during the period 1990-1998. He was disengaged on 22.11.1998. Earlier on, applicant had filed OA-1352/98 which was dismissed vide order dated 22.4.1999, however, with the following observations:-

"I find that as the applicant has been working as part-time casual labour, the preferential claim for engagement on full time basis is created. He can only have a prior claim for engagement as part-time casual labour over freshers and outsiders. In case any benefit accrues to him under the Circular issued by the Telecom Department, he can make his claim on that basis to the respondents. This is however, not the relief claimed by the applicant in the present case. The OA is therefore dismissed as being devoid of merit".

3. Applicant is stated to have made a representation to the respondents dated 27.8.2001 seeking re-engagement being senior to four persons who were engaged by the respondents as full time casual labourers denying preferential claim to the applicant. Learned counsel pointed out that respondents have not decided upon applicant's representation stated above.

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4. Having regard to the contentions raised before me, in my considered view, without putting the respondents on notice, this OA can be disposed of in the interest of justice, requiring the respondents to decide applicant's representation dated 27.8.2001 by passing a detailed and speaking order within a period of two months from the date of communication of these orders. Ordered accordingly.

5. This OA be treated as a supplementary representation.

V.K. Majotra
(V.K. Majotra) 27.10.01
Vice Chairman (A)

cc.