

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. NO.516 OF 2004

New Delhi, this the 4th day of March, 2004

HON'BLE SHRI R.K. UPADHYAYA, ADMINISTRATIVE MEMBER

Smt. Asha Verma D/o Shri Madan Lal  
W/o Shri Jitendra Kumar Kanaujia,  
R/o C/o Mr. Sandeep Kumar, H.No.267,  
Gali No.5, Anganwari School, Subhash  
Nagar, Meerut.

.....Applicant

(By Advocate : Shri V.P.S. Tyagi)

Versus

1. Union of India (Through Secretary)  
Ministry of Defence, South Block,  
New Delhi.
2. The Financial Adviser,  
Ministry of Defence (Finance Division),  
South Block, New Delhi.
3. The Controller General of Defence Accounts,  
West Block -V, R.K. Puram,  
New Delhi.
4. The Controller of Defence Accounts (PD),  
Belvadier Complex,  
Meerut Cantt.

.....Respondents

ORDER (ORAL)

Applicant - Smt. Asha Verma was engaged as casual labourer since May, 1992 and was disengaged from 10.7.1994. It is stated by the learned counsel that in terms of the provisions contained in the Scheme for grant of Temporary Status & Regularisation of casual labourers of 1993, the applicant was entitled to be regularised after grant of temporary status. However, the applicant was not given any work and some new faces were taken on duty. The details of such four employees have been mentioned in paragraph 4.3 of the OA. Learned counsel states that the respondents have now passed an order dated

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6.2.2004 (Annexure A1) by which the applicant has been given the benefit of temporary status w.e.f. 1.9.1993 but the respondents have not re-engaged the applicant "due to non-availability of work of casual nature." The learned counsel of the applicant states that he has been informed that even after this, certain persons are being engaged either on casual basis or on contract basis. She, therefore, seeks a direction to the respondents to re-engage the applicant, who has now been conferred with temporary status.

2. After considering the facts of this case and contentions of the learned counsel of the applicant, it is considered appropriate without issuing notice to the respondents in the interest of justice to dispose of this OA with the following directions:-

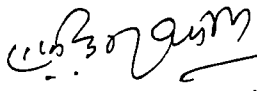
1. The applicant may submit a representation to respondent No.3 with a copy to respondent No.4 seeking re-engagement on the next available vacancy or in the alternative, to accept employment on contract basis as and when there is any need by the respondents alongwith a copy of this order and a copy of this OA within a period of two weeks from the date of receipt of a copy of this order. If such a representation is made by the applicant, respondents are directed to consider the case of the applicant for re-engagement either on casual basis or on contract basis, if there is

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any need by the respondents in their organisation. In case, they are not in a position to offer any such employment to the applicant, the respondent No.4 is directed to pass a speaking and reasoned order. In case there is need for any concurrence and approval of respondent No.3, he may also obtain<sup>CA</sup> the same in this connection. If the applicant made a representation as aforesaid the respondent No.4 is directed to pass a speaking and reasoned order under intimation to the applicant within a period of two months from the date of receipt of such a representation of the applicant.

3. This OA is accordingly disposed of without any order as to costs at the admission stage itself.

  
(R.K. UPADHYAYA)  
ADMINISTRATIVE MEMBER

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