

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA 1257/1992

New Delhi, this 17th day of March, 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)
Hon'ble Shri S.P. Biswas, Member(A)

Shri Tara Chand
A232, Gokulpuri, Delhi-110 094 .. Applicant
(By M/s. Sikri & Co. - not present)

versus

Director General
ESI, Panch Deep Bhawan
Kotla Road, New Delhi 110 002 .. Respondent
(By Shri G.R. Nayyar, Advocate)

ORDER(oral)

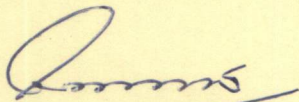
Hon'ble Dr. Jose P. Verghese, V.C.(J)

The short prayer in this original application is to regularise the services of the applicant who was said to have been on daily wages with the respondents for about a year. The respondents dispute the fact and have admitted that the applicant was appointed as Chowkidar on 1.5.1991 and continued upto 31.3.92 on daily wages and as such he would have been entitled to the Scheme for consideration of the daily wages promulgated by the Central Government. The said Scheme does not give right to such employees to be regularised on the basis of these facts. Since the applicant was not a casual labourer at the time when the said Scheme was promulgated, the applicant may not be entitled to the temporary status. But in any case since the applicant has completed the required period within one year and the respondents have engaged him during the year for a required number of days, the respondents may consider him for re-engagement as casual labourer as and when they

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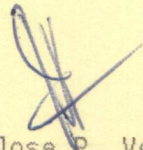
proceed to engage casual labourers, in preference to new comers, outsiders and his juniors.

With the aforesaid directions, the original application is disposed of. There will be no order as to costs.



(S.P. Biswas)

Member(A)



(Dr. Jose P. Verghese)

Vice-Chairman(J)

/vv/