

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. 1603/92

Date of decision: 10.12.92.

Manbar Singh .. Applicant.

Versus

Union of India & .. Respondents.
others.

Sh.Gyan Prakash .. Counsel for the applicant.

Sh.P.H.Ramchandani with
Sh.J.C.Madaan .. Counsel for the respondents.

CORAM:

The Hon'ble Sh.Justice Ram Pal Singh, Vice Chairman(J).

The Hon'ble Sh.I.P.Gupta, Member(A).

JUDGEMENT(oral)

The applicant in this case has worked for more than 780 days as casual labour ~~as~~ daily wages basis in the Ministry of Environment and Forest. He had been working since May, 1987. It is stated by the learned counsel for the applicant that the canteen was ~~put~~ ^{put} ~~on~~ fire and the services of the applicant were terminated verbally on 16.6.92. Though the canteen was re-started the applicant has not been taken and the learned counsel contended that freshers have been taken from the Employment Exchange at the cost of the applicant.

2. The learned counsel for the respondents said that the applicant got seasonal employment as Waterman elsewhere on the temporary closure of the canteen. No vacancies are available at the moment at the canteen.

3. The fact remains that the applicant had worked for pretty long time in the canteen and the only reason for which his services were terminated was that the canteen was out of commission for some period. Obviously he should get some preference of treatment according ^{trial} _{jk}

: 2 :

to the number of days of work that ^{the} (the applicant) had put in on the re-establishment of canteen. This was not done.

4. We direct that the applicant should be taken back as a casual labour in the canteen in the first available vacancy that occurs henceforth. The learned counsel for the applicant says that he has become over age meanwhile. We observe that the appropriate authority should relax the age of the applicant, keeping in view the large number of days he had put ~~in~~ in service in the past.

I.P.Gupta
(I.P.GUPTA)
MEMBER(A)

Ram Pal Singh
(RAM PAL SINGH)
VICE CHAIRMAN(J)