

Central Administrative Tribunal
Principal Bench, New Delhi.

(31)

OA-1779/92

New Delhi this the 16th day of August, 1996.

Hon'ble Sh. S.R. Adige, Member(A)
Hon'ble Dr. A. Vedavalli, Member(J)

Sh. Beer Singh,
S/o Sh. Ram Swarup,
R/o 1128, Paharganj,
Pratap Nagar,
New Delhi.

Applicant

(through Ms. Kiran Chhabra, proxy counsel for
Mrs. Rani Chhabra, advocate)

versus

Union of India,
through its Secretary,
Ministry of Communications,
Deptt. of Telecommunication,
New Delhi.

Respondents

(Present None)

ORDER(ORAL)

delivered by Hon'ble Sh. S.R. Adige, Member(A)

In this application Sh. Beer Singh has sought quashing of Circular dated 22.4.87 and for a direction to the respondents to take him back on work immediately and for eventual absorption as per the directions of the Hon'ble Supreme Court.

2. The applicant's case is that he was recruited as a casual labourer in October, 1985 and was assigned work under Respondent No.3. He worked from October, 1985 till October, 1987 after which he was sent on deputation in November, 1987 to T.C.I.L. He states that after working in T.C.I.L. from 23.11.87 to 18.4.92, he was repatriated back to the present unit vide letter dated 19.6.92 but despite reporting to the concerned authorities for assignment

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of further work, no work has been assigned to him although he had made several requests to the respondents in this regard.

3. This O.A. was dismissed for default and non-prosecution on 8.8.95 but was restored on 15.4.96. Meanwhile no reply has been filed by the respondents, despite service of notice upon them, both before and after restoration of the OA and none appeared for the respondents when the case came up for hearing today. We can therefore only conclude that the respondents are not interested in being heard.

4. We accordingly dispose of this O.A. with a direction to the respondents that in the event a self contained representation is filed by the applicant to the respondents, containing his claim for engagement, respondents will consider the same and pass a detailed speaking and reasoned order within a period of three months from the date of receipt of the representation, in accordance with law, Subject to the availability of work, they will also consider engaging the applicant, in preference to outsiders and those with overall lesser length of past service and in case they are constrained to reject the applicant's prayer for engagement of work, they will record their reasons for doing so.


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5. If and when the applicant is re-engaged, it will be open to him thereafter to work out his rights for grant of temporary status and for eventual regularisation in accordance with law.

6. This O.A. is disposed of accordingly.

No costs.


(Dr. A. Vedavalli)
M(J)

/vv/


(S.R. Adige)
M(A)