

In the Central Administrative Tribunal
Principal Bench, New Delhi

(5)

Regn. No. OA-2761/92

Date: 22.1.1993.

Shri Moti Lal and Another Applicants

Versus

Union of India through
Director General,
Dak-Tar Bhavan & Ors. Respondents

For the Applicants Shri V.P. Sharma, Advocate

For the Respondents Shri M.L. Verma, Advocate

CORAM: Hon'ble Mr. P.K. Kartha, Vice-Chairman (Judl.)
Hon'ble Mr. B.N. Dhoundiyal, Administrative Member.

1. Whether Reporters of local papers may be allowed to see the judgement? *yes*
2. To be referred to the Reporter or not? *M*

(Judgement of the Bench delivered by Hon'ble
Mr. P.K. Kartha, Vice-Chairman)

We have heard the learned counsel for both the parties and have gone through the records of the case carefully. The applicants have worked as casual labourers (Mazdoors) in the Telecom Department and they are aggrieved by their disengagement from service. According to the version of the applicants, Applicant No.1 was initially engaged on 1.6.1983 and worked upto 31.3.1984. Applicant No.2 worked from 1.9.1973 to 3.6.1976 and was again engaged in January, 1979 and disengaged in the same year. There is nothing on record to indicate that the applicants have completed 240 days' service in a year. The respondents have

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raised in their counter-affidavit the plea that there is no work in their office in which the applicants could be accommodated. The learned counsel for the respondents stated that no person junior to the applicants has been engaged by them.

2. After hearing both the sides, we dispose of the present application with a direction to the respondents to consider the case of the applicants for re-engagement if they need the services of casual labourers (Mazdoors) and in preference to persons ~~xxx~~ with lesser length of service and outsiders. For this purpose, the respondents should maintain a register of casual labourers containing the period of service rendered by them and the engagement of the applicants should be considered on the basis of the said register. After they have put in the requisite period of service for the purpose of regularisation, their cases should also be considered in accordance with the scheme prepared by the respondents for the purpose of regularisation of casual labourers in the P & T Department. There will be no order as to costs.

B.N. Dhoundiyal
(B.N. Dhoundiyal) 27/1/93
Administrative Member

P.K. Kartha
(P.K. Kartha) 24/1/93
Vice-Chairman(Judl.)