

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 96/92
T.A. No.

199

(6)

DATE OF DECISION 10-4-1992 ²

Shri Kirpa Shankar & Another ~~Respondent~~ Applicant

Shri R.L. Sethi Advocate for the ~~Petitioner(s)~~ Applicant

Versus

Union of India through the Respondent

Secy., Miny. of Labour & Anr.

Shri P.H. Ramchandani Advocate for the Respondent(s)

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The Hon'ble Mr. P.K. Kartha, Vice-Chairman (Judl.)

The Hon'ble Mr. A.B. Gorthi, 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? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. Whether it needs to be circulated to other Benches of the Tribunal? *No*

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

The two applicants before us have worked as casual labourers in the office of the respondents. The version of the applicants is that they were engaged as casual labourers on 8.4.1991 and their services were dispensed with in January, 1992. The version of the respondents is that they have worked only upto 29.11.1991.

2. The applicants have alleged that the respondents have engaged four persons in December, 1991 as casual labourers and they are still working in their department. They have submitted that in the event of termination of their services, the principle of 'first come, last go'

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should be observed. The respondents have stated that the services of the four persons appointed in December, 1991 have also been discontinued.

3. We have heard the learned counsel for both the parties and have gone through the records of the case. In our opinion, the applicants will have preferential rights over persons with lesser length of service and outsiders in the matter of engagement as casual labourers. Accordingly, the application is disposed of with the direction to the respondents that in case they need the services of casual labourers, they shall give preferential right to the applicants over persons with lesser length of service and outsiders. The application is disposed of accordingly. There will be no order as to costs.

A.B. Gorthi
(A.B. Gorthi)
Administrative Member

P.K. Kartha
10/4/82
(P.K. Kartha)
Vice-Chairman(Judl.)