

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

Regn. No. OA 968/1992

Date of decision: 31.03.1993.

Shri A.K. Sharma

...Applicant

Versus

Union of India through  
Secretary, Ministry of  
Defence & Others

...Respondents

For the Applicants

...Shri S.S. Tiwari,  
Counsel

For the Respondents

...Shri T.K. Sinha,  
Counsel

COURT:

THE HON'BLE MR. JUSTICE S.K. DHAON, VICE CHAIRMAN

THE HON'BLE MR. I.K. RASGOTRA, ADMINISTRATIVE MEMBER

1. To be referred to the Reporters or not?

JUDGMENT (ORAL)

(of the Bench delivered by Hon'ble Mr.  
Justice S.K. Dhaon, Vice Chairman)

The grievance of the applicant is that even though he had worked as a daily rated casual labourer for sometime, the respondents are not considering him for regular appointment.

2. A reply has been filed on behalf of the respondents.

Counsel for the parties have been heard.

3. During the course of the arguments, the learned counsel for the respondents has very candidly submitted that the case of the applicant has <sup>not</sup> been considered for regular appointment as the authority concerned felt that he (the applicant) had not been sponsored by the employment exchange concerned. However, in paragraph 1 of the reply filed on behalf of the respondents, it is admitted that in fact the

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the applicant had been sponsored by the employment exchange.

It follows that the applicant has so far not been considered

for regular appointment on account of extraneous consideration.

4. The applicant's case is that persons who had worked for less than 120 days and who had not been sponsored by the employment exchange have been considered for such appointments and even given such appointments. We, therefore, direct the respondents to consider the case of the applicant for appointment on merits and in accordance with law. The respondents shall take a decision in the matter of the applicant within a period of one month from the date of production of a certified copy of this order by the applicant before the respondents. While doing so, they shall proceed on the assumption that the applicant had been duly sponsored by the employment exchange.

5. With these directions this application is disposed of but finally with no order as to costs.

*Subhash*  
(I.K. RASOTKA)

MEMBER (A)

31.03.1993

*Sky*  
(S.K. DHAON)  
VICE CHAIRMAN  
31.03.1993

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