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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

O.A.No.2064 of 1993

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New Delhi, this the 3rd day of February, 1994.

Hon'ble Mr Justice S.K.Dhaon, Vice Chairman
Hon'ble Mr B.N.Dhoundiyal, Member(A).

Sharanveer Singh S/O Shri Rohtash Singh r/o Street No.1,
Village Shabholi, P.O.Nandnagri, Rly., Road, New Delhi.

.. .. Applicant.

(through Mr A.K.Bhardwaj, Advocate)
vs.

1. Delhi Administration/Govt. of National Capital Territory of Delhi, through:
The Chief Administrator, Delhi Administration,
Old Secretariat, Delhi.
2. The Deputy Controller of Accounts(P), Office
of the Deputy Controller of Accts., G.P.F.Cell,
Old Sectt., Delhi. Respondents.

(through Mr Kamal Choudhary, Advocate)

ORDER (ORAL)

PER S.K.DHAON, VICE CHAIRMAN

The petitioner, a daily wager, came to
this Tribunal and prayed for the following reliefs:

- a) to restrain the respondents from terminating his services as Casual Labourer/Waterman;
 - b) to mandate the respondents to absorb/appoint him as group 'D' employee on regular basis with all consequential benefits; and
 - c) to declare the act of the respondents in not absorbing the applicant as Group 'D' employee on regular basis as arbitrary and discriminatory.
2. A counter-affidavit has been filed on behalf of the respondents. Counsel for the parties have been heard. We, therefore, proceed to dispose of this O.A. finally.
3. In the counter-affidavit, it has been asserted that the services of the petitioner have been terminated. The reason given is that the post on which the petitioner was working, was not sanctioned beyond a certain date.
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The reason given for not considering the case of the petitioner for regular employment is that he had not been sponsored by the Employment Exchange. The other reason given is that he did not make any application when the other Casual Workers were being regularised in their services.

4. We are satisfied that the petitioner was once sponsored by the Employment Exchange. In view of the O.M. dated 8.4.1991 of the Government of India, Ministry of Personnel, Public Grievances and Pension, the petitioner need not have been sponsored by the Employment Exchange for the second time. We are also satisfied that the petitioner did not make any formal application praying that his case for regularisation may be considered.

5. Having considered the matter carefully, we feel that the only reliefs which we can grant to the petitioner are that the respondents may be directed to consider the case of the petitioner for engagement as Casual Worker if and when a vacancy arises. While doing so, the respondents shall give preference to the petitioner over freshers and juniors to him. The second relief, which we can possibly grant to the petitioner is that if and when the respondents decide to regularise the services of the daily wagers, they shall not insist upon the petitioner being sponsored by the Employment Exchange and they should consider the case of the petitioner for regularisation in accordance with law and if he makes an application in that behalf.

6. With these directions, the Q.A. stands disposed of but without any order as to costs.

(B.N. Dhoundiyal)
Member(A)

(S.K. Dhaon)
Vice Chairman