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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

O.A. NO. 7/93

DECIDED ON : 27-7-1993

Dinesh Kumar

... Applicant

Vs.

Union of India & Ors.

... Respondents

CORAM :

THE HON'BLE MR. JUSTICE S. K. DHAON, V.C. (J)

THE HON'BLE MR. B. N. DHOUNDIYAL, MEMBER (A)

Shri V. P. Sharma, Counsel for Applicant

JUDGMENT (ORAL)

Hon'ble Mr. Justice S. K. Dhaon :-

The only prayer in this application is that the respondents be directed to place the name of the petitioner in the list to be prepared in accordance with paragraph 5.2.3 of the Railway Board circular dated 11.9.1986.

2. A counter affidavit has been filed on behalf of the respondents. It appears to be an admitted position that the petitioner worked in a Project from 21.2.1982 to 20.3.1982 and thereafter from 21.8.1984 to 30.9.1984. Admittedly, the contents of para 5.1 of the circular provides that persons with longer service shall have priority over those who have joined later. However, para 5.2.3 provides, inter alia, that the seniority list shall be so prepared so as to include the casual labours who have been employed at any time from 1.1.1981 onwards. It is emphasised that the lists so prepared will be used for any subsequent engagement/re-engagement/discharge of project casual labour.

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3. The respondents shall include the name of the petitioner in the list to be prepared in accordance with paragraph 5.2.3 of the aforesaid circular and thereafter offer him a re-engagement as and when he becomes eligible.

4. With these directions, this application is disposed of finally. There shall be no orders as to costs.

*B. N. Dm*  
( B. N. Dhoundiyal )  
Member (A)

*Sug*  
( S. K. Dhaon )  
Vice Chairman (J)

as