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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. No. 874 of 1993

New Delhi this the 13th day of January, 1994

Mr. Justice S.K. Dhaon, Vice-Chairman
Mr. B.K. Singh, Member

Shri Bhajan Singh
R/o Shop No.28, Gurudwara Road,
Kotla Mubarakpur,
New Delhi.

...Applicant

By Advocate Ms. Bharti Sharma, Counsel for Mrs. Rani Chhabra,
Counsel

Versus

1. Union of India through
its Secretary,
Min. of Communications,
Department of Telecommunication,
New Delhi.

2. Sub Divisional Officer, Telegraphs,
Bijnor.

...Respondents

By Advocate Shri George Paracken, proxy counsel for
Shri P.P. Khurana, Counsel

ORDER (ORAL)

Mr. Justice S.K. Dhaon, Vice-Chairman

The material averments in this application are these. Way back in March, 1980, the applicant was recruited as a casual labourer and was assigned work in the Construction Office Telegraphs, Lucknow. There were breaks in the service of the applicant. Finally he was engaged as a casual labourer in March, 1987 and he continued in that capacity till September, 1988. Again the applicant was given work for 79 days during January to March, 1989. Thereafter, he was not assigned any work. The services of the applicant were terminated in pursuance of the policy adopted by the respondents vide circular dated 22.04.87. The said policy has been struck down by the Supreme Court.


2. A counter-affidavit has been filed on behalf of the respondents. In it, the material averments are these. The applicant's services were not terminated in accordance with the circular dated 22.04.1987. The applicant's services were terminated on account of want of work.

Sd/-

3. We are not satisfied that the services of the applicant were terminated on account of the circular dated 22.4.1987. If that be so, this application appears to be highly belated. It has, therefore, to be rejected as barred by limitation. Accordingly, we reject it.

4. It goes without saying that if the applicant is eligible even now, he will be given due consideration in accordance with the provisions contained in Article 14 and 16 of the Constitution if and when they make fresh recruitment of casual labourers.

5. The O.A. is rejected.


(B.K. SINGH)
MEMBER (A)
13.01.1994


(S.K. DHAON)
VICE CHAIRMAN
13.01.1994

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