

CENTRAL ADMINISTRATIVE TRIBUNAL, ALIAHABAD

O.A. NO. 95 of 1992

Mahendra Kumar ..... Applicant.

Vs.

Union of India & others. .... Respondents.

Hon'ble Mr. Justice U.C. Srivastava, V.C.

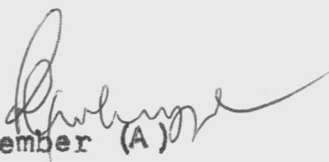
Hon'ble Mr. K. Obayya, A.M.

( By Hon'ble Mr. Justice U.C. Srivastava, V.C.)

The applicant worked in the office of the Accountant General , U.P. Allahabad since 1.4.1982 to 31.12.1986 with artificial breaks as casual peon. As the applicant failed to get any appointment for which he was making efforts and getting judgment of the Allahabad Bench of Central Administrative Tribunal in which certain directions have been given , he approached this Tribunal. The contentions on behalf of the applicant is that he has worked for more than 240 days yet he was not given appointment and even his name is entered in the panel which would have given him a right to get appointment as and when his turn comes. As a matter of fact, according to him, no such panel is being prepared with the result that the deserving persons are not getting appointment and even though the applicant was entitled for consideration in the reserved Quota yet his case was not considered. His representation went to deaf ears , that is why he challenged the practice prevailing in the A.G. Office praying for appointment.

2. The respondents have opposed the application and have contended that during the year 1984 to 1986 , the applicant was engaged only for 125 days i.e., 46 days in 1984 , 58 days in 1985 and 21 days

in 1986, It may be that in the record these days have been mentioned but the applicant's contentions can not be ruled out that only working for 46 days or 58 days or 21 days in particular years, he would have not remained in one office during three years without seeking employment elsewhere . Accordingly, the respondents are directed to reconsider the matter in case the applicant had worked 240 days and the persons who have worked for lesser days although the register has not been properly maintained, have been given appointment, the applicant's case shall also be considered for appointment and rather he will be given priority in preference to the persons who have worked for lesser days than that of applicant. It is desirable that a register be maintained of such persons who have worked every year so that there cases for preference in getting casual thereafter regular appointment be considered in preference to new comers . With these observations the application is stand disposed of. No order as to costs.

  
Member (A)

  
Vice-Chairman

DATED :- OCTOBER, 16, 1992.

(ug)