

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
& ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1538 of 1994

Allahabad this the 11th day of September, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)
Hon'ble Mr.M.P. Singh, Member (A)

Mahfooz Ahmad, Son of Late Sri Maqsood Ahmad,
Resident of House, No.68, Akbarpur, Allahabad
(Ex.Casual Labour AG/I, U.P. Allahabad.)

Applicant

By Advocate Shri M.K. Upadhyay

Versus

1. The Union of India, through the Comptroller & Auditor General of India, New Delhi.
2. The Principal Accountant General, Uttar Pradesh, Allahabad.

By Advocate Shri Satish Chaturvedi

O R D E R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

The applicant has come up seeking relief to the effect that the respondents be directed to enter the name of the applicant in casual labour register, giving appropriate seniority according to his actual working days and to engage him as casual labour in preference to his juniors and outsiders.

2. The main grievance of the applicant

Sub

is that he worked with the respondents for 191 days during the period from 1986 to 1990 and thereby he became entitled to ~~for~~ ^{get} his name entered in the register maintained for daily rated casual labour and preferred in his engagement over his juniors and fresh faces, but the respondents have refused to consider his case for engagement as casual labour vide annexure A-1 dated 13.5.94.

3. The respondents have contested the case and filed the counter-reply in which it is not disputed that the applicant worked for 191 days during five years in between 1986 to 1990 but it has been mentioned that in June, 1990 the applicant left the job on his own and when the respondent no.2 issued a notification on 04.4.1994 and called for the ^{application} applicant from willing candidates to work as unskilled casual worker for water sprinkling in connection with the hot weather during the period from April to June, 1994, the applicant did not turn up and, therefore, he has lost his claim.

4. Heard, the learned counsel for the parties and perused the record.

5. The applicant has failed to show that he ever applied for or attend the office of respondents to seek his engagement in between 1990 and 1994 and, therefore, we find force in the contention of the respondents that the applicant has lost his claim. The applicant has also referred some decisions of this Tribunal

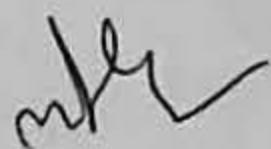
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and asserted that the same benefit be provided to the applicant and his name be entered in the register of casual labour with the respondents.

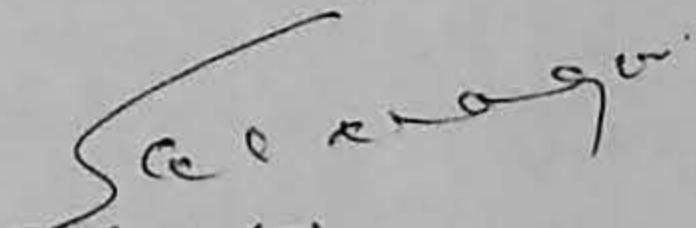
Incase, the ^{Case} ~~same~~ such register is being maintained by the ~~respondents~~ and the applicant is found a fit person to have his name entered therein, the respondents may consider the ~~claim~~ ^{case of} if he represents the respondents establishment within 3 months from the date of this order.

6. The O.A. is disposed of accordingly.

No order with the above observations. No order as to costs.



Member (A)



Member (J)

/M.M./