

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 4th day of June 2002.

QUORUM : HON. MR. S. DAYAL, A.M.

O. A. No. 393/00

Sunil Kumar Srivastava s/o Sri B.N. Srivastava r/o 17-A,
Hashimpur, Tagore Town, Allahabad.

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..... Applicant.

Counsel for applicant : Sri A.K. Srivastava.

Versus

1. Union of India through the Comptroller Auditor General of
India, New Delhi.

2. The Principal, Accountant General, Uttar Pradesh.

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..... Respondents.

Counsel for respondents : Sri S. Chaturvedi.

O R D E R (ORAL)

BY MR. S. DAYAL, A.M.

This application has been filed for a direction to the respondent No.2 to enter the name of the applicant in the seniority list register of casual labour and to engage him as per his seniority in casual labour register and regularise him in a group 'D' vacancy. The applicant has claimed that he had worked in the office of A.G.U.P., Allahabad w.e.f. 1982-83, 1984-86, 1987-89, 1990-92, 1993-95 and 1996-97 in broken spells and had completed 206 days and was entitled to get his name entered in the casual labour register for casual engagement as well as regularisation. He claims to have given a representation on 6.3.2000 without any response.

2. Arguments for applicant have been heard. None is present for the respondents.

3. I find from the counter reply that the respondents have denied the applicant for ever been engaged as a daily rat casual worker in the office. They also denied that he had given representation on 6.3.2000. It is stated by the respondents

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that a seniority list of casual workers is being maintained in the office of Respondent No.2 and the name of the applicant does not find place in the seniority list because he had never worked as ^a _l _l casual worker.

4. I find that the representation dated 6.3.2000 annexed as Annexure 1 merely states that he had rendered service in the office of the Principal Accountant General since 1988 to 1989 and again from 1990-92 and from 1996-97. On the other hand, in the O.A., the applicant has claimed that he worked from 1980 to 1997 in broken spells. The inconsistency of pleadings besides the fact that the reply of the respondents has remained uncontroverted shows that the applicant has not been able to establish his claim of having worked in the office of the respondents. The application is, therefore, dismissed as lacking in merits.

No order as to costs.


A.M.

Asthana/
5.6.02