

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR

Date of order : 24.3.1998

O.A. No. 97/1996

1. Mukh Ram S/o. Shri Keshra Ram, aged about 29 years, R/o. village Bhagwansar Tehsil Suratgarh Distt. Sriganganagar (Raj.) last employed to the post of Mazdoor in 24 Field Ammunition Depot (FAD) C/o. 56 A.P.O.
2. Ram Kumar S/o. Sh. Kashi Ram, aged about 23 years, R/o. village & Post 6 LNP Via Udhyog Vihar Distt. Sriganganagar (Raj.), last employed on the post of Mazdoor in 24 Field Ammunition Depot C/o. 56 A.P.O., Lalgah Jatan Distt. Sriganganagar (Raj.).
3. Boota Ram S/o. Sh. Govind Ram, aged about 29 years, R/o. Village 1 K S R P.O. Bhagwansar Tehsil Suratgarh Distt. Sriganganagar.
4. Gurdeep Chand S/o Sh. Ram Chand, aged about 28 years, R/o. Karnisar Kothi Post Bhagwansar Tehsil Suratgarh Distt. Sriganganagar (Raj) last employed on the post of Mazdoor in 24 Field Ammunition Depot (FAD) C/o. 56 A.P.O.
5. Chet Ram S/o. Sh. Jalu Ram, aged about 30 years, R/o. V & PO Bhagwansar, Tehsil Suratgarh, Distt. Sriganganagar (Raj) employed on the post of Mazdoor in 24 Field Ammunition Depot (FAD) C/o. 56 A.P.O.

... Applicants.

v e r s u s

1. Union of India through the Secretary to G/I, Ministry of Defence, Raksha Bhawan, New Delhi.
2. The Commandant, 24, Field Ammunition Depot, C/o 56 A.P.O.
3. The Director General of Ordnance Services, Master General of Ordnance Branch, Army Headquarter, D H Q P.O. New Delhi.
4. The District Employment Officer, District Employment Exchange, Sriganganagar (Rajasthan).

... Respondents.

Mr. J.K. Kaushik, Counsel for the applicants.

Mr. Vinit Mathur, Counsel for the respondents Nos. 1 to 3.

None present for the respondents No. 4

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman.
Hon'ble Mr. Gopal Singh, Administrative Member.

O R D E R

(Per Hon'ble Mr. Gopal Krishna)

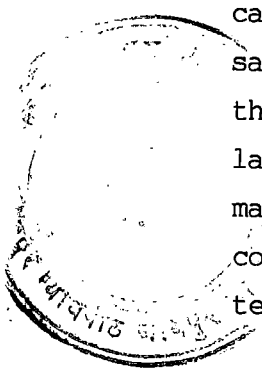
Applicants, Mukh Ram, Ram Kumar, Boota Ram, Gurdeep Chand and Chet Ram, have filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying for a direction to the respondents to treat them as having been appointed against the regular posts of Mazdoor in the pay

scale of Rs. 800-1150.

2. We have heard the learned counsel for the parties. The counsel for the parties have agreed to the matter being disposed of at the stage of admission. We have perused the material on record.

3. Applicants were recorded as Mazdoor on casual basis in 24 Field Ammunition Depot (FAD) for a period of 89 days only based on the sanction accorded by the Headquarters Ambala Sub Area vide letter dated 28.5.1993. The names of the applicants were sponsored by the Employment Exchange. A perusal of Annexure A/1 dated 15.6.1993 reveals that the appointment was to be given for a period of 89 days only and the nature of vacancies was of casual labourers. In the circumstances, applicants' appointment cannot be said to be made on regular basis. Learned counsel for the applicants states that in view of the facts of this case, if there are vacancies of casual labourers in 24 Field Ammunition Depot, applicants' case for re-engagement may be considered as per rules. In the result, we direct the respondents to consider the case of the applicants for re-engagement as casual labourers in terms of the rules as and when need arises.

4. Application stands disposed of accordingly at the stage of admission with no order as to costs.


Gopal Singh
(GOPAL SINGH)
Adm. Member

Gopal Krishna
(GOPAL KRISHNA)
Vice Chairman

CVR.