

Date of order : 19.02.1998.

O.A. Nos. 325, 330, 331, 332 and 333 of 1997.

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1. Mahesh Singh S/o Shri Shiv Lal Bargujar, R/o Street
No. 3, Behind Government Press, Hanuman Hatha, Bikaner.

(Applicant in OA No. 325/97)

2. Ram Lal S/o Shri Dhura Ram Nayak, R/o Hanuman Nattha
Near Sita Ram Ji Ka Temple, Nayankon-ka-Mohalla, Bikaner.

(Applicant in OA No. 330/97)

3. Surja Ram S/o Shri Sheru Ram Nayak, Ex Mazdoor, R/o Hanu-
man Hatha, Near Sita Ram Mandir, Bikaner.

(Applicant in OA No. 331/97)

4. Shiv Ratan S/o Shri Chandra Ram Bhati R/o Near Kesar
Desar Well, Behind Junagam, Bikaner.

(Applicant in OA No. 332/97)

5. Kaju Ram S/o Shri Roopa Ram, R/o Near Sita Ram Ji Ka
Temple, Hanuman Hatha, Bikaner.

(Applicant in OA No. 333/97)

VERSUS

1. Union of India through the Secretary, Ministry of
Defence, Government of India, Raksha Bhawan, Rafi Marg,
New Delhi.

2. Commander Works Engineer (Project), Military Engineering
Service (MES), Bikaner.

3. Garrison Engineer, Military Engineering Service (MES),
Bikaner.

4. Assistant Garrison Engineer (Electrical and Mechanical),
Military Engineering Service (MES), Bikaner.

5. Assistant Garrison Engineer (Building and Road), Military
Engineering Service (MES), Bikaner.

(Respondents in all the O.As.)

Mr. Bharat Singh, Counsel for the applicants.

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CORAM :

HONOURABLE MR. A.K.MISRA, JUDICIAL MEMBER
HONOURABLE MR. GOPAL SINGH, ADMINISTRATIVE MEMBER

PER HONOURABLE MR. A.K.MISRA :

Since all these O.As involve common question of law and facts, they are being disposed of by this common order.

2. Heard the learned counsel for the applicants. It is alleged by the applicants that the respondents are filling the posts of Labourers whereas as per the earlier order passed by this Tribunal in O.A. No. 184/90 on 2.9.1993, they were supposed to re-engage the applicants on the posts of Mazdoor as per their seniority but the applicants have not been informed in respect of their re-engagement on the posts of Labourers. The Notice Annex. A/1 dated 17.5.1997 goes to show that the respondents are filling the posts but this Notice relates to the post of Sweeper. Therefore, it cannot be said on the basis of this Notice (Annex.A/1) that respondents are filling the posts of Mazdoor. In the circumstances, we are of the opinion that no case for issue of Notice to the Respondents is made out. All the Original Applications are, therefore, dismissed at the stage of admission.

3. In case if the applicants subsequently discover that their claim is ignored and Mazdoors are appointed, then they will be at liberty to file a fresh Original Application if they are so advised.

Sd/-

Sd/-

(GOPAL SINGH)
MEMBER (ADMN.)

(A.K. MISRA)
MEMBER (JUDL.)

JRM/evr

Part II and III destroyed
in my presence on 25-3-2002
under the supervision of
Section Officer (Recd.) as per
order dated 22/12/2002

मान्यता
सत्य प्रतिक्रिया

प्राप्ति प्रतिक्रिया (प्राप्ति)

कानूनी प्रतिक्रिया भालकरा Section Officer (Recd.)

जोधपुर जायज़ (ठ), जोधपुर

Copy of order

along with OA

petition sent to

R.F.I.S by Regd A.D.
v/cle no 67/071

if 3

at 21/12/98