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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR

Date of order : 11.01.1999

O.A. No. 195/98

1. Om Prakash son of Shri Sultan Ram aged about 27 years resident of village 28 P B N Post Bhagwansar, Distt. Sriganganagar.
2. Dharam Pal son of Pyre Lal aged about 29 years, resident village Nathawala (2 M L) Bhatta Colony, Distt. Sriganganagar.
Last employed on the post of Mazdoor in the office of 24 Field Ammunition Depot (FAD) C/o. 56 APO.

... Applicants

versus

1. Union of India through Secretary to Government of India, Ministry of Defence, Raksha Bhawan, New Delhi.
2. The Commandant, 24 Field Ammunition Depot, C/o. 56 APO.
The Director General of Ordnance Services, Army Headquarters, DHQ PO, New Delhi.

... Respondents.

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

Mr. Vineet Mathur, Counsel for the respondents.

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, Om Prakash and Dharam Pal have filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying for a direction to the respondents to reengage them on C.K.M the post of Mazdoor in pursuance of their selection held in 1993

giving preference over the fresh persons and to allow all consequential benefits.

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 appointed as casual labourer in the office of 24, Field Ammunition Depot (FAD), C/o. 56 APO. Applicants were engaged as casual labourer for 89 days in December, 1993. On completion of 89 days of service, all the applicants were disengaged from service. It is urged on behalf of the applicants that fresh persons are being inducted as casual labourer ignoring the claim of the applicants. The learned counsel for the respondents has urged that the appointment was given to the applicants for a period of 89 days only and the nature of vacancies was of casual labourers. The 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.

4. 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.

5. 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.