

CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH JODHPUR

I/8

Original Application No. 35/2003
This the 19th of December, 2003.

**Hon'ble Mr. G.R.Patwardhan,
Administrative Member**

Bhanwar Singh S/o Shri Vijay Singh
R/o Village Sal, Tehsil Mount Abu,
Distt. Sirohi (Presently applicant is
Not in service)

.....Applicant.

(Mr.Vijay Jain, Advocate for applicant)

versus

1. Union of India through Secretary,
Ministry of Defence,
Govt. of India,
Raksha Bhawan,
NEW DELHI

2. Station Commander,
Air Force Station,
Mount Abu,
District Sirohi.

Officer-In-Charge,
Air Force Canteen,
Mount Abu,
District Sirohi.

.....Respondents.

(Mr.Vineet Mathur, Advocate, for the respondents)

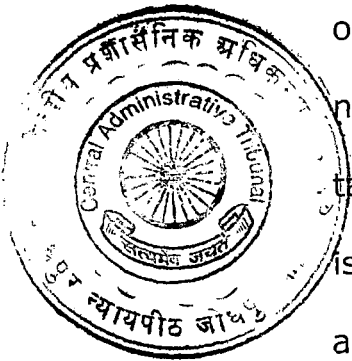
ORDER

This is an application by Shri Bhanwar Singh resident of Village Sal, District Sirohi, against the respondents Union of India through Secretary, Ministry of Defence, Station Commander, Air Force Station, Mount Abu and Officer-In-Charge, Air Force Canteen, Mount Abu. The application is not against any specific written order but is solely based on some

verbal order whereby, applicant's service has been terminated and for which he alleges that no notice or hearing was given.

2. It is an admitted position that the applicant was working since 1989 on casual basis in the canteen of respondents and has been giving representations for regularisation. However, it seems, some time in July 2001, the applicant was verbally told not to come and his subsequent requests to allow him to join and work, have not elicited favourable response.

3. The application has seven Annexures – the first one given in July 2001 requests that he be allowed to work and record his presence in the canteen, Annex.A/2 is a reminder given on the next date i.e. 21.7.2001 and Annexs. A/3 and A/4 are reminders of 23rd and 25th July, 2001 whereas, Annexs. A/5 and A/7 are notices given by learned Advocate to the Station Commander to take back his client i.e. the applicant, back on duty, Annex.A/6 is a communication to the learned Advocate indicating that advise of the Air Headquarters has been sought.

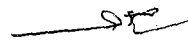


4. On the last date, learned Advocates for both the parties have been heard. The admitted position is that the applicant was working as Casual Labour and has not been appointed against any specific post. Thus, the only right that has been created is of payment of appropriate wages and there is no allegation that these are either pending or have been paid below the admissible amount. As the casual appointment does

not create any right for regularisation by itself and as the detailed reply of the respondents shows that the services of the applicant were dispensed with in the absence of work, there is no remedy that is possible which can force the authorities to engage him.



5. In the result as the O.A. is devoid of any merit, it is dismissed without any order as to costs.


(G.R. Patwardhan)
Adm. Member

jrm

RICOTY.
22/12
M. S. Goddard
Adv.

Recd.
8/1/04.

Part of said list destroyed
in my presence on 17/10/13
under the supervision of
section officer (1) as per
order dated 03/10/13

D. H. Shaw
Section officer (Record) 17.10.2013