

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM

O. A. No. 428/90  
~~XXXXXX~~

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DATE OF DECISION 29.6.90

K' Chandran Applicant (s)

Mr MR Rajendran Nair Advocate for the Applicant (s)

Versus

Union of India rep. by the Respondent (s)  
Secretary to Government,  
Ministry of Communications,  
New Delhi.

Mr AA Abul Hassan, ACGSC Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. MY Priolkar, Administrative Member

The Hon'ble Mr. N Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not? no
3. Whether their Lordships wish to see the fair copy of the Judgement? no
4. To be circulated to all Benches of the Tribunal? no

JUDGEMENT

Shri N Dharmadan, Judicial Member

The applicant who worked as a casual mazdoor for some time under the respondents approached this Tribunal for a declaration that the denial of the employment to the applicant by the respondent is illegal.

2 At the time when the case was taken up for admission to-day, it was brought to our notice that an identical question has been considered by this Bench in OA 747/89 and the case can be disposed of with some directions. The applicant will be satisfied if this case is disposed of in the light of the judgment in the aforesaid case.

3 We have heard the learned counsel for the respondents also.

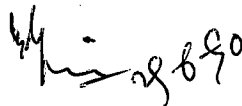
4 The limited prayer by the learned counsel for the applicant in this case is that the applicant may also be considered for future casual employment and that too by giving him only the bottom seniority. This is a legitimate request and it is not seriously objected <sup>to</sup> by the learned counsel for the respondents in view of the observations and directions in the aforesaid judgment. But he submitted before us that there is a ban of employment of fresh casual employees as per the order of the Director General. No such order has been produced before us.

5 However, in the interest of justice, we feel that this case can be disposed of with directions to give employment to the applicant in future considering his previous employment under the respondents.

6 Under the above circumstances we dispose of the application with the direction that the respondents shall consider the applicant also for casual employment with bottom seniority for any future assignment for which he is found suitable considering his past service.

7 The DA is disposed of with the above directions but there will be no order as to costs.

  
(N Dharmadan) 29.6.90  
Judicial Member

  
(MY Priolkar)  
Administrative Member