

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.306/97 ,

Tuesday this the 4th day of August, 1998.

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

1. K.C.Mohammed, Casual Labourer  
Agricultural Demonstration Unit, Kalpeni.
2. K.V.Kalid, Casual Labourer,  
Agricultural Department, Kalpeni.
3. M.P.Ahamed, Casual Labourer,  
Agricultural Department, Kalpeni.
4. M.K.Kasmi Koya, Casual Labourer,  
Agricultural Department, Kalpeni.
5. I. Khalied, Casual Labourer,  
Agricultural Department, Kalpeni.
6. C.P.Cheriyakoya, Casual Labourer,  
Agricultural department, Kalpeni.
7. K.K.Shaikoya, Casual Labourer, -  
Agricultural Department,  
Kalpeni.
8. P.P.Ahamed, Casual Labourer,  
Agricultural Department,  
Kalpeni.
9. U.P.Kasim, Casual Laboruer,  
Agricultural Department, Kalpeni.
10. P.V.Hamza Koya, Casual Laboruer,  
Agricultural Department, Kalpeni.
11. T.P.Kasmi Koya, Casual Labourer,  
AgriculturalDepartment, Kalpeni.
12. M.P.Pookoya, Casual Labourer,  
Agricultural Department,  
Kalpeni.
13. P.P.Muthukoya, Agricultural Department,  
Kalpeni.

(Applicants 2 to 13 represented by their authorised agent  
Ist applicant - K.C.Mohammed) (By adv.Mr.MRR Nair)

Vs.

1. Agricultural Officer, Office of the  
Agricultural Officer, Kalpeni Island, Lakshadweep.
2. The Secretary (Agriculture),  
Union Territory of Lakshadweep,,  
Kavarathi.

...Respondents

(By Advocate Mr. S. Radhakrishnan (rep.)

The application having been heard on 4.8.98, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

Applicants 13 in number were casual labourers conferred with temporary status had relieved on attainment of the age of 60 years with effect from 30.11.96. Their contention is that while they are hale and hearty and are capable of performing the work assigned to them, there is no justification to terminate their services as there is no retirement age prescribed for casual labourers. With these allegations the applicants have filed this application impugning the order.A.1 terminating the services of the applicants with effect from 30.11.96.

2. The respondents contended that the applicants being temporary status casual mazdoors who are entitled to some of the benefits available to regular mazdoors have to retire at the age of 60 years which is the age of superannuation of Group D employee. They rely on the ruling of this Tribunal on identical issue given in O.A.17/1997 (Annexure.R.1)

3. On a careful scrutiny of the pleadings and documents and on hearing the learned counsel on either side, I am of the considered view that the applicants do not have a legitimate grievance to be redressed. On the grant of temporary status the applicants came to be conferred with some of the benefits of Group 'D' employees such as pay scale as applicable to Group 'D' employees, leave, increments etc. As the age of superannuation of regular Group 'D' employees is 60 years the decision to retire the temporary status casual

.3.

labourers at the age of 60 years cannot be considered arbitrary or irrational requiring judicial intervention. That was the view taken by the Bench in the decision in O.A.17 of 1997.

4. In the light of what is stated above, the application fails and the same is dismissed leaving the parties to bear their own costs.

Dated the 4th day of August, 1998.



A.V.HARIDASAN  
VICE CHAIRMAN

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LIST OF ANNEXURE

1. Annexure R-1: True copy of the Judgement dated 10.3.1997 passed by the Central Administrative Tribunal, Ernakulam Bench in O.A. No.17/97.

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