

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

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Original Application No. 80 of 1990.

Gaya Prasad and others

Applicants

versus

Union of India & others

Respondents.

Shri Manik Sinha Counsel for Applicant.

Shri P. Kumar Brief Holder of Shri A. Srivastava,
for Respondents.

Corum:

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. K. Obayya, A.M. Member.

(Hon. Mr. Justice U.C. Srivastava, V.C.)

The grievance of the applicants is that the applicants who have been working as Safaiwalas, were excluded from the selection which took place on 11/12. Oct. 1988.

2. The applicants have worked as Casual labours, the applicant No. 1 from the year 1971 to 1989 and the applicant No. 2 from the year 1975 to 1989. The applicant No. 1 has worked for 277 days while the applicant No. 2 has worked for 347 days. The letter of interview for preparation of panel of the casual labours who have completed 120 days was sent by the D.R.M. through Carriage and Wagon Superintendent Faizabad and was not delivered to the applicant No. 1, though earlier in the year 1983 the applicant was called in the year 1983 for the said purpose. The applicant has been making representations but he has been excluded and the juniors have

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been regularised. The applicant No. 2 appeared in the screening test/ but he was not informed about his

selection, and again he attended the interview on 11.5.87 but no result was ever communicated to him

3. According to the respondents, the applicant No. 1 worked for 128 days and applicant No. 2 for 162 days but even then they have worked for more than 120 days and the figure given by the applicants does not tally with the figure. The applicant has been excluded, though he has been working since long. Accordingly, the respondents are directed to scrutinise the papers of the applicants of his working and the applicants may also be associated with the same and in case the applicants have worked for requisite period, their case may be considered for within 3 months of the communication of this order.

Even otherwise the applicants have served the department and there is no reason in not giving appointment to the applicants as juniors have been retained in service.

4. Application stands disposed of as above. No order as to costs.

Adm. Member.

Vice Chairman

Shakeel/-

Lucknow: Dated 4.2.93.