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CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW

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O.A. No. 174 of 1990

Ambike Singh and Others

Applicants.

versus

Union of India & Others

Respondents.

Hon. Mr. Justice U.C. Privastava, V.C.
Hon. Mr. K. Chayya, Jmt. Member.

(By Hon. Mr. Justice U.C. Privastava, V.C.)

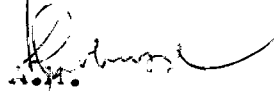
The applicants who were appointed as substitute casual labour have approached this Tribunal with a prayer for consideration of the applicants for appointment as regular class IV employees and the respondents be directed to consider the applicants in continuous service as Substitute Casual Labours, Loco Shed, Alambagh Lucknow and further to direct them to take work from the applicants and pay that salary regularly.

2. Although the respondents have not filed counter affidavit. From the facts stated by the applicant it comes out that the applicants were appointed in various years upto 4.9.81. Although the applicants have worked for more than 120 days, the details of which have been given by the applicants, the services were terminated on 4.9.91. Applicants made representation and the Secretary of the Union also espoused their cause. It was later on revealed that substitute's services have been terminated because of the bogus labour cards and substitutes were engaged in the order of seniority and also screened

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and absorbed accordingly. A letter dated 24.2.84 was also issued in this regard, copy of which is placed on record and was sent to the Union also. The record of the applicants was scrutinised but appointment was not offered to them. Some of them filed writ petitions before High Court which was transferred to this Tribunal and decided vide judgment dated 24.4.89 and the respondents were directed to give appointment to the petitioners who were medically fit. The position has changed. Juniors to the applicants were retained and they were allowed to continue and their cases have been considered for regularisation. The respondents are directed to consider the case of the applicants for regularisation and absorption, in case the juniors were considered, or the benefit of re-employment be given. Let this be done in accordance with law within 3 months from the date of receipt of a copy of this judgment.

No order as to costs.


A.M.


V.C.

Shakeel/-

Lucknow: Dated: 23.10.92.