

Central Administrative Tribunal, Lucknow Bench,

Lucknow

Original Application No. 306/2009

This the 19th day of February, 2010

Hon'ble Dr. A.K. Mishra, Member(A)

Mohd Quadir, Aged about 33 years, S/o late Sri Mohd. Yaseen, R/o Village Aurangabad Khalsa, Post Bijnore, Jail Road, Lucknow.

.....Applicant

By Advocate: Sri Praveen Kumar

Versus

1. Union of India through the Secretary to Government of India, Ministry of Defence, New Delhi.
2. The Area Commander, Headquarter, U.B. Area, Bareilly.
3. The DGST, Army Headquarter, New Delhi.
4. The Sub-Area Commander, Headquarter, Lucknow sub-area, Lucknow.
5. The Commanding Officer, Food Inspector, Unit, ASC, Lucknow.

.....Respondents

By Advocate: Sri S.P. Singh


ORDER

Heard the learned counsel for the parties.

2. The learned counsel for the applicant submits that the applicant was working as a casual employee in the establishment of respondent-authority for a long period. He was not paid his wages for the month April, 2009 and also till 25.5.2009. His services were orally terminated on 26.5.2009. His prayer is that his arrear wages should be paid to him and he should be given an opportunity to serve in the establishment of the respondent-authority in the same capacity.



3. The learned counsel for the respondents submits that usually some delay takes place for payment of wages for the month of April, 2009 due to budgetary reason. This position was also known to the applicant, who has been working for many years. It is not as if the respondent-authorities are bent upon denying the applicant of his legitimate dues. On the other hand, it is the case of the respondents that the applicant has failed to turn up to receive his dues since 26.5.2009. The learned counsel fairly concedes that all his arrear wages will be paid to him as soon as he approaches the respondent-authority preferably beyond the end of March, 2010. He also contests the averment that the applicant was orally disengaged from his duties as casual employee. He submits that the respondent-authority will not have any hesitation in engaging him again in his previous capacity. This concession will be extended by the respondent-authority keeping in view the long service of the applicant provided he reports for duty soon.

4. In view of such submission, the application is disposed of with a direction to the applicant to present himself before the respondent no.5 for engagement as a casual employee in his establishment and also to receive payment of his past unpaid wages. Thereafter the respondent no.5 will act on the assurance given ^{to} the Tribunal today. 

5. With these observations, the O.A. is disposed of. No costs.


(Dr. A.K. Mishra)
Member-A