

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY
CAMP AT NAGPUR

(4)

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Original Application No. 410/91

Arjun Sadhuram Mankar,
R/o. Pulfail, Ward No.35,
Wardha (M.S.)

... Applicant

v/s

1. Assistant Engineer Coaxial(M),
Civil Lines, Wardha.

2. Assistant General Manager
(Administration), Western
Telecom Region, Bombay.

... Respondents

CORAM : Hon'ble Vice-Chairman, Shri Justice U.C.Srivastava
Hon'ble Member (A), Shri M.Y.Priolkar

Appearances:

Mr. R.S. Kale, Advocate
for the applicant and
Mr. Ramesh Darda, Counsel
for the respondents.

ORAL JUDGEMENT:

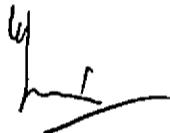
Dated : 19.11.1991

(Per. U.C.Srivastava, Vice-Chairman)

The applicant was taken in the employment of the respondents as part-time Sweeper on 7.8.1986. He continued to work for five hours daily upto 28.10.1990. His name was sponsored by the Employment Exchange but later-on his services came to an end. The grievance of the applicant is that of course he was a casual labourer and notwithstanding the fact that the post is lying vacant and the work is still there his services have been terminated and he is not being appointed even though the establishment is a permanent establishment. The respondents have denied the claim of the applicant and stated that of course there is no such work that is why the applicant's services have been terminated and the retrenchment compensation too has been paid which

(5)

has been accepted. In view of the fact that the applicant was only a part-time employee and retrenchment compensation has been paid and no vacancy is said to be existing or no junior who was similarly appointed like the applicant has been engaged in service, the applicant has got no case. In view of the fact that the applicant has worked for four years and there appears to be no complaints against him, the respondents will consider his claim on priority basis as and when vacancy arises either as part-time or full-time Sweeper. With these observations the application stands disposed of finally with no order as to costs.



(M.Y. Priolkar)
Member(A)



(U.C. Srivastava)
Vice-Chairman

v/-