

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

(14)

J A I P U R.

O.A. NO. 610/92

Date of decision: 17.1.94

UDAI RAM

: Applicant.

VERSUS

UNION OF INDIA & ORS

: Respondents.

Mr. P.S. Sirohi

: Counsel for the applicant.

Mr. V.S. Gurjar

: Counsel for the respondents.

CORAM:

Hon'ble Mr. Justice D.L. Mehta, Vice-Chairman

Hon'ble Mr. B.N. Dhoundiyal, Administrative Member

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE-CHAIRMAN:

Heard the learned counsel for the parties.

2. The contention of the applicant is that he continued to be in employment as daily rated casual labourer during the period March, 1981 to 23.6.1988 and his services were terminated without deciding the question of compensation under Section 25F of the Industrial Disputes Act. The learned counsel for the applicant has not pleaded specifically in his petition whether it is an industry or not. The respondents are directed to re-engage the applicant as they have already stated in their reply that they are ready to re-engage the applicant, if the applicant volunteers himself. The applicant should submit the report to the concerned authorities immediately within one month and the respondents should give him employment as daily rated casual labourer thereafter and should continue him till the work is available and his seniority amongst the casual labourers should be counted from March, 81, from the date when he was first appointed. No back wages will be granted.

3. As far as the question of regularisation or regular appointment is concerned, the respondents will take into consideration all facts along with other similarly situated persons and if any advantage can be given in the matter of selection, the case of the applicant shall also be considered according to the rules. The doctrine of "Equal Pay for Equal Work" as far as practicable should be applied and the respondents should consider the same according to the rules.

4. The O.A. is disposed of accordingly, with no order as to costs.

B.N.Dhundiyal
(B.N. DHOUNDIYAL)
Administrative Member

D.L.Mehta
(D.L. MEHTA)
Vice-Chairman