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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 29.7.97

OA 33/93

Bhanwar Lal Sen, Daily Wages Casual Labour in the office of Post Master General, Rajasthan Eastern Region, Jaipur.

... Applicant

Versus

1. Union of India through the Secretary to the Govt. of India, Department of Posts, Ministry of Communication, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur.
3. The Post Master General, Rajasthan Eastern Region, Ajmer.
4. The Director, Postal Services (Head Quarters), o/o the Chief Post Master General, Rajasthan Circle, Jaipur.

... Respondents

CORAM:

HON'BLE MR. GOPAL IRISHIA, VICE CHAIRMAN

For the Applicant

... Mr. R. P. Pareek

For the Respondents

... Mr. U. D. Sharma

O-R-D-E-R

PER HON'BLE MR. GOPAL IRISHIA, VICE CHAIRMAN

Applicant, Bhanwar Lal Sen, in this application under Section 19 of the Administrative Tribunals Act, 1985, has challenged his disengagement from service as a casual labour in the office of the Post Master General, Rajasthan Eastern Region, Jaipur, by a verbal order on 22.12.92.

2. Heard the learned counsel for the parties. Records have been carefully perused.

3. The case of the applicant is that he has been working as a casual labour in the office of Respondent No. 3 w.e.f. 22.6.90. He had worked for 615 days from the period from 22.6.90 to 21.12.92. However, he was disengaged from service due to the shifting of the office from Jaipur to Ajmer. The applicant was allowed to continue in the Budget Section at Jaipur as a casual labour against a Group-D post lying vacant but finally the Budget Section too was shifted to Ajmer on the eve of 21.12.92 and the applicant was asked to accompany the truck carrying office records and other equipments. On reaching Ajmer, the applicant reported for duty but he was not allowed to join. The applicant thereafter submitted an application to the Director Postal Services, vide Ann.A-11 dated 23.12.92. It is contended that the respondents did not regularise his services and disengaged him from service in an arbitrary manner.

C. Kishor On the contrary, the respondents have stated that the applicant's disengagement

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was proper and legal since he was not on the regular strength of that office and he had been working merely on casual basis.

4. The applicant is still in the service of the respondents under a stay order granted by this Tribunal on 25.1.93 in the present application. It is stated by the learned counsel for the applicant that temporary status has already been conferred upon the applicant.

5. In the facts and circumstances of the present case, the respondents are directed to consider the applicant's case for re-engagement and regularisation of his services as per rules subject to the availability of any vacancy in terms of the Casual Labourers (Grant of Temporary Status and Regularization) Scheme dated 12.4.91. at Ann.A-14, within a period of four months from the date of receipt of a copy of this order. This application stands disposed of accordingly with no order as to costs.

Gopal Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN

VK