

Date of Decision: 04.03.1999

OA 496/97

Rohitashwa Kumar Jangid, Contract employee, Semi Conductor Device Area, Central Electronics Engineering Research Institute, Pilani, under the Council of Scientific and Industrial Research, New Delhi.

... Applicant

Versus

1. Council of Scientific and Industrial Research, Anusandhan Bhawan, Rafi Marg, New Delhi, through Director General, CSIR, New Delhi.
2. Director, Central Electronics Engineering Research Institute, Pilani.
3. Joint Secretary (Adm.), CSIR, Rafi Marg, New Delhi.
4. Administrative Officer, CEERI, Pilani (Raj.).

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

For the Applicant

... Mr.S.K.Jain

For the Respondents

... Mr.K.N.Shrimal

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Rohitashwa Kumar Jangid, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying for a direction to the respondents to absorb him permanently since 1990 with all consequential benefits.

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

3. Applicant's case is that he was appointed as a casual labour to work as a typist on contract basis since January, 1983. The applicant was drawing a salary of Rs.1000/- p.m., which was enhanced to Rs.1200/- w.e.f. 1.3.89. His salary was again revised and it was fixed at Rs.1300/- w.e.f. 1.4.92. The applicant served as a casual worker till he was disengaged from service. The respondents have stated in their reply that in the year 1993-94 a trade test was held for conferring temporary status to the contract/casual workers but at the relevant time when the test was held the applicant had voluntarily left the job and went out of the country. Counsel for the applicant has urged that persons junior to the applicant were granted temporary status and have been absorbed in regular service but the applicant was not considered for grant of temporary status and other benefits. The learned counsel for the respondents has raised an objection to the effect that the present

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application is barred by limitation and there is no prayer for condonation of delay. It is borne out by the record that the applicant had been making representations to the concerned authorities in regard to his grievance and some of the representations were forwarded and recommended for consideration. The present application was filed on 4.9.97. In the circumstances, the delay, if any, in filing the present application is condoned in the interest of justice.

4. In the circumstances, the present application is disposed of with a direction to the respondents to consider reengaging the applicant as a casual worker as per his turn in accordance with rules, instructions and guidelines on the subject within a period of four months from the date of receipt of a copy of this order. No order as to costs.

G. Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN

VK