

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A.No.321/99

Date of order:12.08.1999

Chhagan Lal Sood S/o Shri Mangi Lal Sood, presently working as a Temporary Group-D Mailman in the office of the Railway Mail Service, Jaipur Division, Jaipur.

...Applicant.

Vs.

1. Union of India through the Secretary to the Government of India, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Postmaster General, Rajasthan Circle, Jaipur - 7
3. Senior Superintendent, R.M.S., Jaipur Division, Jaipur -1.
4. The Incharge, H.R.O., Jaipur R.S.Branch, Jaipur-6.

...Respondents.

Mr.P.N.Jati, counsel for the applicant

Mr. M.Rafiq, counsel for the respondents.

CORAM:

Hon'ble Mr.Gopal Krishna, Vice Chairman

Hon'ble Mr. N.P.Nawani, Administrative Member

ORDER

Per Hon'ble Mr. Gopal Krishna, Vice Chairman

Applicant, Chhagan Lal Sood, in this application under Section 19 of the Administrative Tribunals Act, 1985, has sought a direction to the respondents to treat him as a temporary Group 'D' employee of the Department of Posts as per order dated 30.11.1992 as also a direction to provide work to him.

2. We have heard the counsel for the parties. Records of the case have been carefully perused. The parties have agreed to this matter being disposed of at the stage of admission.

3. Applicant's case is that after his name was sponsored by the Employment Exchange, he was engaged as Casual Labour by the respondents in the Railway Mail Service, Jaipur on 6.1.1988 vide Ann.A4. It is an admitted fact that temporary status has been conferred upon him. His contention is that since he has been working for a considerable number of days in a year from 1988 onwards, he should be provided daily work on regular basis. The respondents, on the contrary, have stated that since the applicant was engaged as a Casual Labour on daily wage basis and his services were utilised as and when required on account of any

Chhagan

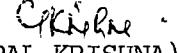
Group 'D' employee proceedings on leave, assignment of work to the applicant was dependent upon its availability. However, fact remains that the applicant has been working as a Casual Labour on need basis ever since his engagement on 6.1.1988.

3. In the circumstances, we direct the respondents to assign work to the applicant as a Casual Labour as and when the same is available on account of any leave vacancy of any Group 'D' employee. The respondents shall consider grant of benefits to the applicant in terms of D.O.P. letter No.66-9/91-SPB-I dated 30.11.1992, at Annexure-A8 subject to its applicability to him. The applicant is free to make a fresh representation to the concerned authority regarding his grievance.

4. The OA stands disposed of accordingly at the stage of admission with no order as to costs.


(N.P. NAWANI)

Adm. Member


(GOPAL KRISHNA)

Vice Chairman