

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

OA No.3831/2016

New Delhi this the 6 day of March, 2017

**Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Mr. P.K. Basu, Member (A)**

Sh. Ashish Kumar (Aged about 32 years)
(Ex. Clerical Assistant)
S/o Sh. Fateh Singh,
R/o 415-A Govind Puri,
KALKAJI, NEW DELHI -110019. Applicant

(By Advocate:Shri Prem Chand)

Versus

1. Govt. of NCT of Delhi Through its
Cheif Secretary,
Delhi Secretariat, I.P. Estate,
New Delhi-110002.
2. The Chairperson,
New Delhi Municipal Council,
Palika Kendra, Sansad Marg,
New Delhi-110001.
3. The Secretary
New Delhi Municipal Council
Palika Kendra, Sansad Marg,
New Delhi-110001. Respondents

(By Advocate:Shri Vaibhav Agnihotri)

O R D E R (Oral)

Mr. V. Ajay Kumar, Member (J):

Heard both sides.

(2)

(OA No.3831/2016)

2. The applicant, who had worked as contractual clerical assistant under the respondents, has filed the present OA seeking the following relief:

- "i) Directions to the respondents to quash the impugned orders dated 19.06.2015 and 24.06.2015 regarding the denial of extension for the post of clerical assistant to the applicant.
- ii) Directions to the respondents to appoint the applicant as DEO Grade 'A' Clerical assistant on contractual basis / regular basis, as has been done in the case of similarly placed contractual staff.
- iii) Directions to the respondents to consider the applicant for his appointment in terms of their circulars dated 25.03.2014 and 31.03.2014. The applicant has worked for more than three and half years (1283 days) as against 500 days given in these circulars.
- iv.) Directions to the respondents to make payment for the period 01.09.2012 to 16.10.2012 to the applicant when he has actually worked in the office.
- v.) Cost of litigation."

3. It is the case of the applicant that though there is work with the respondents and though they are engaging some juniors to him as contractual clerical assistants but they are not considering the applicant for re-engagement.

(3)

(OA No.3831/2016)

4. In the circumstances, the OA is disposed of at the admission stage itself, without going into the other merits of the case, by permitting the applicant to make appropriate representation ventilating his grievances within two weeks from the date of receipt of a copy of this order. In the event, the applicant makes such representation, the respondents may consider his case for engagement on contractual basis, if there is work and in preference to his juniors, as per rules. No costs.

(P.K.Basu))
Member (A)

(V. Ajay Kumar)
Member (J)

/kdr/