

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.859/2003
M.A.NO.742/2003

Friday, this the 10th day of July, 2003

Hon'ble Shri Govindan S. Tampi, Member (A)

1. Krishan Pal Singh,
S/o Shri Mahendar Singh
WZ 120, Palam P.O. Plat II,
Harijan Basti, New Delhi-45.
2. Vishal Despandey
S/o Shri R.S.Despandey
60, Bara Bazar, Kankarkhera,
Meerut Cantt.
3. Rajesh Kumar
dJ-142, R.K.Puram
Sector - 3, Saraswati Camp
New Delhi.

..Applicants

(By Advocate: Shri M.K.Bhardwaj)

Versus

Union of India through

1. Secretary,
Ministry of Defence,
North Block, New Delhi.
2. Chief Controller,
Principal Office Defence Accounts
G,Block, New Delhi.
3. Accounts Officer (Admn.)
Principal Office Defence Accounts Controller
G,Block, New Delhi.

(By Advocate: Shri Vivek proxy for
Shri R.N.Singh)

..Respondents

O R D E R (ORAL)

Heard S/Shri M.K.Bhardwaj and Vivek learned counsel
respectively for the applicants and the respondents.

2. MA 742/2003 for joining allowed.

3. This OA 859/2003 was earlier dismissed in default but
was subsequently restored by allowing MA 1319/2003, as it
was found that the confusion in the name of the applicant
was caused in the cause list.

4. It is pointed out by the learned counsel for the

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applicants that inspite of their having put in nearly two years of service they were being disengaged in favour of some freshers. In a similar matter, in the same organisation, employees similarly treated had approached this Tribunal in OA 3144/2002 with MA 2673, which was disposed of with the directions to the respondents to consider the case of the applicants, along with others, in preference to outsiders and juniors. Shri Bhardwaj pleads that similar relief could be granted to the present applicants as well.

5. According to Shri Vivek, the respondents have acted conciously and no relief was available to the applicants.

6. On consideration of the matter, I am convinced that the applicants in this OA are similarly placed as those in OA 3144/200 with MA 2673/2002 and are therefore entitled to the to the same relief. Accordingly, I adopt the findings dated 03.12.2002 in that OA and direct that the respondents shall consider the ^{⊗ re-engagement} regularisation of the applicants in accordance with the law, rules and instructions in preference to the juniors and freshers and that their services shall not be disengaged, till the said consideration, by juniors and freshers. No costs.

(GOVINDAN S. TAMPI)
MEMBER (A)

/kdr/

⊗ vide orders dated 17.10.03
in MA No. 2182/03 in OA 859/03