

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

C.P. No.55/2006 In
O.A. No.1381/2003

(4)

New Delhi this the 3rd day of May, 2006

Hon'ble Shri V.K. Majotra, Vice Chairman (A)
Hon'ble Shri Mukesh Kumar Gupta, Member (J)

1. Jag Naresh
S/o Shri Tilak Ram,
R/o 1600, Sector-V
R.K. Puram, New Delhi.
2. Rajbir Singh
S/o Shri Charan Singh
R/o K-219, Kali Bari Marg,
New Delhi.
3. Sita Ram
S/o Shri Asha Ram
R/o 192 Pandav Udyan,
Narela, New Delhi.

-Applicants

(By Advocate: Shri A.K. Srivastava)

Versus

1. Shri J.P. Gupta,
Through Chief Controller of Accounts,
Ministry of Finance, Room No.240-B,
North Block, New Delhi-1.
2. Shri V.K. Sethi,
Sr. Pay and Accounts Officer (CPS)
67-A, North Block,
New Delhi-110 001.

-Respondents

(By Advocate: Shri T.C. Gupta)

ORDER (Oral)

Hon'ble Shri V.K. Majotra, Vice Chairman (A)

Heard.

2. OA-1381/2003 was disposed of vide order dated 01.10.2003 (Annexure P-1, Colly), with the following directions to the respondents:-

Keeping in view the statement of affairs, I find no case for re-engagement of the applicant for time being had been made out. OA cannot be allowed and the same is disposed of. However, respondents are directed that if in future any work of the nature of which the applicants were performing that work becomes available with the respondents then the respondents shall re-engage the applicants in preference to juniors and outsiders as directed earlier in OA-1112/99. OAs stands disposed of. No costs".

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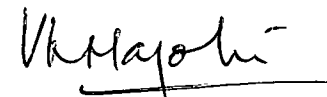
3. Learned counsel of the applicant brought to our attention (Annexure P-3), which is fully vouched contingent bill E708 dated 05.12.2005, indicating that two persons namely, Shri Subhash and Smt. Rajwati were engaged for short periods by the respondents in the Month of November/December, 2005. It is alleged that these persons are freshers and they could not have been given precedence over the applicant in terms of Tribunal's directions.

4. Learned counsel of respondents explained that these persons were engaged for very short spells in the event of the regular incumbents being on leave.

5. While we are not taking a serious view in the matter, respondents are directed that even for short spells, freshers cannot claim precedence over the applicant. Therefore, in future, in such eventualities, respondents must inform the applicant whether he is interested in a short term engagement. As such, applicant shall also intimate his address as also telephone number within 15 days to facilitate such information by the respondents to the applicant.

6. C.P. is disposed of and notices to the respondents are discharged.


(Mukesh Kumar Gupta)
Member (J)


(V.K. Majotra) 3/5/06
Vice Chairman (A)

cc.