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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1856/2002

M.A.NO.1473/2002

Thursday, this the 18th day of July, 2002

Hon'ble Mrs. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri S.A.T. Rizvi, Member (Admn)

- 1.. Shri S.Gogia
s/o Shri R.C.Gogia
r/o B-4/163, Safdarjung Enclave
New Delhi-29
Presently working as Lecturer
on Ad-hoc basis
PUSA Polytechnic
PUSA, New Delhi-12
- 2.. Shri S.K. Maggoo
s/o late Shri Kanshi Ram Maggoo
R/O K-12-C, Sheikh Sarai
Phase-II, New Delhi-17
Presently working as Lecturer
on Ad-hoc basis at
G.B. Pant Polytechnic
Okhla, New Delhi-20
- 3.. Ms. Veena Singh
Presently working as Lecturer
on Ad-hoc basis at
Meerabai Polytechnic
Maharani Bagh, New Delhi-65

..Applicants

(By Advocate: Shri S.K.Gupta)

Versus

- 1.. Govt. of NCT of Delhi
through Chief Secretary
Delhi Secretariat
IP Estate, IG Stadium
New Delhi-2
- 2.. Principal Secretary-cum-Director
Department of Training & Technical
Education, (Technical Education)
Muni Maya Ram Marg
Near T.V.Tower
Pitam Pura, New Delhi
- 3.. Secretary
Union Public Service Commission
Dholpur House, Shahjahan Road
New Delhi

..Respondents

O R D E R (ORAL)

Mrs. Lakshmi Swaminathan, VC (J):

We have heard Shri S.K.Gupta, learned counsel for
applicants.

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2. This application has been filed by three applicants, who are aggrieved by the fact that they have been continuing as Lecturers with the respondents for a number of years, i.e., the applicant Nos. 1 and 2 are working from 6.6.1989 and applicant No.3 is working from 30.6.1992 on ad hoc basis. They are also aggrieved by the fact that they have not been given benefit of ^{the} Career Advancement Scheme in the post of Lecturers.

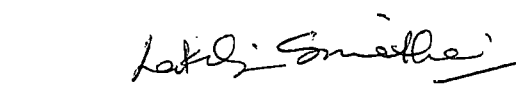
3. One of the main reliefs prayed for by the applicants in paragraph 8 of the OA is for a direction to the respondents to consider their cases for absorption /regularization on the post of Lecturers and if they are found fit, they may be so absorbed/regularized from the date the clear-cut vacancies, i.e., the dates from which they have been continuing as ad hoc Lecturers. In this regard, Shri S.K.Gupta, learned counsel has drawn our attention to the fact that a number of representations have been written by the applicants to the concerned authorities which have been forwarded to respondent No.2 for an appropriate decision by the competent authority. Learned counsel submits that nothing has resulted from these representations over a number of years. He has submitted that even the Association of Gazetted Officers Technical Education, Delhi had taken up ^{the} similar issues of the applicants by filing representation dated 7.8.1997 (page 29 of the paper book) but they too had met the same fate. He has submitted that the applicants have, therefore, filed this application as two of the applicants have continued on ad hoc basis for nearly 13 years as Lecturers and applicant No.3 has been in ad hoc service for more than 10 years.

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4. In the above facts and circumstances of the case, we see some force in the submissions made by the learned counsel for applicants that since the applicants are continuing on ad hoc basis for a number of years and they have been representing ^{to the} respondents from time to time, they ought to have applied their mind and passed a reasoned and speaking order on the representations, particularly having regard to the fact that the applicants state that they are still continuing in service on ad hoc basis as Lecturers. Why no replies have been given by the respondents is something the respondents alone can explain and bring on record the circumstances that they have been continuing the applicants as Lecturers (Technical Education) in their Organization on ad hoc basis.

5. In the above facts and circumstances of the case, this OA is disposed of with a direction to respondent Nos.1 & 2 to consider the aforesaid representations of the applicants together with the grounds taken by the applicants in the present OA. This shall be done within two months from the date of receipt of a copy of this order. Needless to say that they shall pass a reasoned and speaking order in accordance with law and give detailed reasons in case they are rejecting the claims of the applicants for regularization of their post. He


(S.A.T. Rizvi)
Member (A)


(Mrs. Lakshmi Swaminathan)
Vice Chairman (J)

/sunil/