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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1262/2001

Thursday, this the 11th day of October, 2001

Hon'ble Shri S.A.T. Rizvi, Member (Admn)

Vanita, W/O Madan Singh Negi
R/O 3-30, Panchkuiya Road
New Delhi

..Applicant

(By Advocate: Shri M.K.Bhardwaj)

Versus

Union of India & Ors.
through

1. Secretary (OL)
Ministry of Home Affairs
Lok Nayak Bhawan
New Delhi
2. Deputy Secretary,
Ministry of Home Affairs,
Lok Nayak Bhawan, New Delhi
3. Director
Central Hindi Training Institute
MHA
7th Floor, Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi
4. Deputy Director (Exam)
Ministry of Home Affairs
Hindi Teaching Scheme
Janpath 'A' barracks
Janpath, New Delhi

..Respondents

(By Advocate: Shri B.S.Jain)

O R D E R (ORAL)

Heard the learned counsel for both the parties at length.

2. The applicant in the OA has served the respondents as an adhoc appointee LDC from time to time starting 11.7.1997 and ending 10.1.2001 (Annexure A-I). The orders of appointment on adhoc basis issued from time to time contained certain specified conditions accepted by the applicant. One of the conditions stipulated is that the

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services of the applicant as adhoc appointee will last three months or until a regular appointee becomes available whichever happens to be earlier. The same also provides that adhoc appointments will not create any right in favour of the applicant for regular appointment, nor will the same ^{be} ~~be~~ ^{considered} ~~considered~~ for determining seniority or for securing promotions. The order further provided that the applicant's services could be dispensed with any time without assigning any reason. The applicant's services have been prolonged and ultimately ended wholly in accordance with the aforesaid conditions and no fault, on that account, ^{with the respondents &} can be found in this case.

3. The applicant is without a job with the respondents since 11.1.2001. The prayer made is for a direction to the respondents to reinstate the applicant and to regularise her services in the post of LDC and that too from the date of her initial appointment on adhoc basis. I have carefully considered the matter. The applicant's services were terminated ~~in~~ ^{& wholly} in accordance with the letters of appointments issued to her from time to time. She is no longer with the respondents since 11.1.2001. She obviously does not have any right, in the circumstances, to be reinstated and that too retrospectively from the date she was initially appointed as adhoc LDC. The learned counsel appearing on behalf of the respondents, on instructions received from the Departmental Representative present in Court, submits that there are 39 sanctioned posts of LDC in the respondents' establishment and all the 39 posts stand filled by regular appointees. At present, 3 regular appointees are on

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deputation outside the respondents' establishment. Against the aforesaid 3 temporary vacancies, 3 persons have been allowed to continue even though on adhoc basis in terms of orders passed by this Tribunal in OA-772/2001. Thus, there is no temporary ~~and~~ permanent vacancy available in the respondents' establishment. In the circumstances, at present, there is no scope for hiring the services of the applicant even on adhoc basis. The OA, therefore, does not survive and is dismissed. No costs.



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

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