

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. NO.2280/1999

New Delhi this the 23rd day of May, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI V. K. MAJOTRA, MEMBER (A)

Smt. Jayanti Pokhriyal
W/O Upendra Pokhriyal,
R/O H-82, Sector-27,
NOIDA - 201301.

... Applicant

(By Shri Surender Singh, Advocate)

-Versus-

1. Union of India, through
Secretary of Textiles,
Udyog Bhawan, New Delhi.
2. Development Commissioner (Handlooms),
Ministry of Textiles,
Udyog Bhawan, New Delhi.
3. Senior Director,
National Handicrafts & Handloom
Museum, Bhairon Marg,
Pragati Maidan,
New Delhi-110001.

... Respondents

(By Shri K.C.D.Gangwani, Advocate)

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

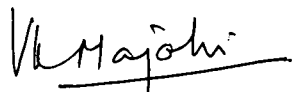
By an order issued on 30.12.1995/4.1.1996 applicant was appointed as Junior Hindi Translator w.e.f. 30.12.1995 as per Annexure A-3. By a further order issued on 9.1.1996/16.1.1996 her services were placed on probation for a period of two years. By a further order issued on 5.8.1998 her probation period was extended by a further period of one year, i.e., upto 30.12.1998. By the impugned order passed on 7.9.1998 her services were terminated in terms of Rule 5(1) of the Central Civil Services (Temporary Service)

Rules, 1965. Aforesaid order of termination is impugned in the present O.A.

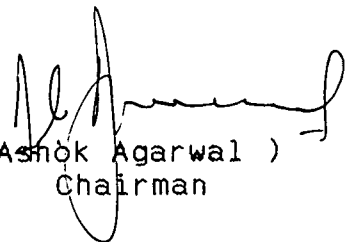
2. As far as applicant's service with the 3rd respondent as Junior Hindi Translator is concerned, she has not put in three years of continuous service and hence cannot be termed as a deemed quasi permanent government servant in terms of Rule 3 of the 1965 Rules. Her services as Lower Division Clerk in the office of Deputy Director of Education, Government of Delhi, in our view, cannot be counted as service with the 3rd respondent, as her services with the Deputy Director of Education had been terminated consequent upon her selection as Hindi Translator. Hence, her service with the 3rd respondent is by way of fresh appointment.

3. In the circumstances, we find that her order of termination issued in terms of Rule 5(1) cannot be successfully assailed.

4. Present O.A., in the circumstances is dismissed. There shall, however, be no order as to costs.



(V. K. Majotra)
Member (A)



(Ashok Agarwal)
Chairman

/as/