

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

M.A. NO.2887/1999

O.A. NO.2621/1999

New Delhi this the 10th day of January, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SMT. SHANTA SHASTRY, MEMBER(A)

Yamuna S/O Hari Shankar,
R/O 2114/2, Yamuna Bazar,
Near Neeli Chhaturi Mandir,
Delhi-110006.

...Applicant

(By Shri A. Bhattacharjee, Advocate)

-Versus-

1. Secretary, National Commission for
Scheduled Castes & Scheduled Tribes,
5th Floor, Lok Nayak Bhawan,
New Delhi.

2. Under Secretary,
National Commission for Scheduled
Castes & Scheduled Tribes,
5th Floor, Lok Nayak Bhawan,
New Delhi.

...Respondents

(By Shri Madhav Panikar, Advocate)

O R D E R (ORAL)

Shri Justice Ashok Agarwal:

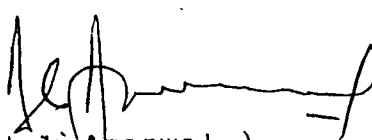
Applicant was appointed as an LDC vide office memorandum dated 9.1.1998. His appointment was on ad hoc basis. By an ad interim order passed on 8.12.1999, respondents were restrained from terminating the services of the applicant by replacing him by fresh ad hoc appointee. Respondents were, however, given liberty to replace the applicant by regularly selected candidates. In our view no better order can be passed in favour of the applicant by way of final relief in the present O.A. than the one which has already been passed on 8.12.1999. In the circumstances, we direct that services of the

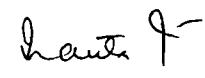
(X)

applicant will not be terminated by appointing another candidate on ad hoc basis. This will, however, not prevent the respondents from appointing regularly selected candidates. Applicant has been appointed on ad hoc basis without being required to undergo the test to be conducted by the Staff Selection Commission. It goes without saying that when an advertisement is issued for holding the tests to be conducted by the Staff Selection Commission it will be open to the applicant, if he is otherwise found eligible, to apply for the same and seek regular appointment. Respondents will consider the claim of the applicant for regular appointment on merits and in accordance with law.

2. Present application, in the circumstances, is disposed of without any order as to costs.

3. In view of the disposal of the O.A., M.A. No.2887/99 is also disposed of.


(Ashok Agarwal)
Chairman


(Shanta Shastri)
Member (A)

/as/