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(7)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. No.1075/98

NEW DELHI, THIS THE 24<sup>th</sup> DAY OF MAY, 1998.

HON'BLE MR.JUSTICE K.M.AGARWAL, CHAIRMAN  
HON'BLE MR.R.K.AHOOJA, MEMBER(A)

Manoj Kumar Dotania  
S/o Sh.L.N.Dotania  
R/o H.No.4881/42  
Raigar Pura, Karol Bagh  
New Delhi.

...Applicant

(BY ADVOCATE SHRI KAMAL MOHAN GUPTA)

Vs.

1. Union of India  
through its Secretary  
Ministry of Textiles  
Udyog Bhawan  
New Delhi.
2. The Development Commissioner  
for Handlooms  
Ministry of Textiles  
Udyog Bhawan  
New Delhi.

...Respondents

ORDER

JUSTICE K.M.AGARWAL:

Arguments were heard on 28.5.1998 but the order is being passed today.

2. The impugned termination order dated 1.5.1998, (Annexure A-1) itself shows that the initial appointment of the applicant was ad hoc in nature or till the vacancy was filled up on regular basis, whichever was earlier. Under these circumstances, the prayer of the applicant for continuing him in service after quashing the impugned order cannot be allowed. It has not been shown to us that the post is tried to be filled up by making another ad hoc appointment after terminating the services of the applicant. The mere fact that initially the name of the applicant was sponsored by the Employment Exchange or that he possesses all the requisite qualifications or eligibility conditions for the post is not sufficient to give him any right to continue in his ad hoc appointment.

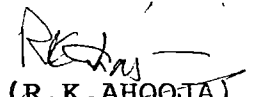
*Im* He could at the most be allowed to compete with others

when the post was advertised by giving relaxation in his age if he was found to be overage. However, it does not appear that the applicant was ever deprived of any such opportunity.

3. For the foregoing reasons, we find no merit in this O.A. It is hereby summarily dismissed. However, liberty is given to the applicant to reagitate his case if he is not allowed to compete with others or was not considered by the Selection Committee on the ground of age or on some such other grounds. Accordingly this O.A. is finally disposed of.



(K.M. AGARWAL)  
CHAIRMAN

  
(R.K. AHOOJA)  
MEMBER (A)