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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA No.1436 of 1994
This 15th day of July, 1994

Hon'ble Mr. J.P. Sharma, Member (J)
Hon'ble Mr. B.K. Singh, Member (A)

1. Shri Naresh Kumar,
A- Block,
12/21, Janakpuri,
P&T Quarters,
New Delhi.
2. Shri Ratan Lal,
22/80 Maulana Azad Medical College,
Colony,
New Delhi.

3. Shri Suraj Bhan,
142, Mali Marg, Malkagunj,
Subzi Mandi,
Delhi - 110007

By Advocate: Shri C. Harishankar

Versus

1. Union of India, through,
Secretary,
Ministry of Commerce,
Udyog Bhavan,
New Delhi - 110011
2. Deputy Controller of Patents & Designs,
Patent Office Branch,
Municipal Market Building,
3rd Floor, Karol Bagh,
New Delhi-110005
3. Department of Personnel & Training,
Ministry of Personnel, Public Grievances &
Pensions, North Block,
New Delhi.

By Advocate: None present.

O R D E R (Oral)

(By Mr. J.P. Sharma, Member (J))

The applicants were initially engaged by the respondents by the order dated 23.11.1993 on the specific

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condition that their appointment is purely temporary and ad hoc and can be terminated at any time without notice.

However, their term of ad hoc appointment was extended from 3.12.93 to 14.1.1994 by the order dated 16.12.93 and the last extension was given upto 14.7.94 by the order dated 11.1.94 and further by another order dated 29.4.94 on the same terms and conditions.

2. The grievance of these applicants is common, that the respondents have not extended their term of engagement. It is not open to the applicants at this stage to call upon the respondents to continue them in service. The ~~persons involved~~ learned counsel for the applicants has emphatically pressed that the issues involved are, firstly that the termination of the applicants is illegal as the work and the posts are available with the respondents and secondly, the respondents are intending to recruit fresh persons to be sponsored by the Employment Exchange. As regards the first contention, the respondents have to see the job requirement and continuance of ad hoc employees till such time they are replaced by regular employees, provided job requirement is there. It is not the case of the applicants that the respondents have recruited fresh persons replacing the ad hoc employees. Regarding the second contention that the respondents are intending to recruit freshers. It is only an apprehension and a thought prevailing in the minds of the applicants, as they are being ceased from the service and not being given an extension


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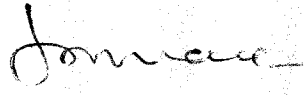
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beyond 14th July 1994. The applicants cannot be allowed to raise a grievance on apprehension unless the cause of action has arisen.

3. The application does not make a case at all and is therefore dismissed in limine under Section 19(3) of the CAT Act, 1985. No costs.


(B.K. Singh)
M(A)


(J.P. Sharma)
M(J)

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