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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.140/2000

New Delhi, this 21st day of February, 2000

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Smt. Shanta Shastry, Member(A)

Narendra Singh Bhadouria
Block 7, TGT Teacher's Quarters
Jawahar Navodaya Vidyalaya
Zafarpur Kalan, Delhi-110073 .. Applicant

(By Ms.Rachana Srivastava, Advocate - not present)

versus

1. Asstt. Director
Navodaya Vidyalaya Samiti
Jaipur Region(Rajasthan, Haryana, Delhi)
Deptt. of Education
A-12, Shastri Nagar, Jaipur
2. Dy. Director
Navodaya Vidyalaya Samiti
Jaipur Region
A-12, Shastri Nagar, Jaipur
3. Principal
Jawahar Navodaya Vidyalaya
Jaffarpur Kalan, Delhi-73
4. G. Chandra Mouli
Principal, Jawahar
Navodaya Vidyalaya, Jaffapur Kalan
Delhi-73 .. Respondents

(By Shri S.Rajappa, Advocate)

ORDER(oral)

Hon'ble Justice Shri Ashok Agarwal

The position of the applicant is similar to the respondent before the Supreme Court in the case of Director, Institute of Management Development Vs. Mrs. Pushpa Srivastava, AIR 1992 SC 2070. As has been found by the Supreme Court in the aforesaid case, appointment of the applicant is purely ad hoc and on contractual basis for a limited period. Therefore on expiry of the period of contractual appointment, right to remain in that post comes to an end. As has been directed by the Supreme Court in the aforesaid case, we direct the respondents to continue the services of the applicant

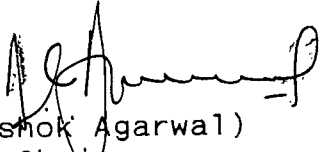
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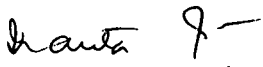
till the end of the academic session. By an ad interim order passed on 21.1.2000, we have directed as follows:

"Pending further orders, respondents are restrained from replacing the applicant by appointing a fresh ad hoc appointee. In other words, till regularly appointed candidate is available services of the applicant are directed to be continued"

2. Applicant is continued to be employed in pursuance of the aforesaid order. He will continue to be so engaged ^{upto} ~~to~~ ^{Aforesaid ad int. order will operate as a final order} the end of the academic session. ^{on the O.A.} In case his services are continued till regularly selected candidate is appointed, while considering candidates for regular appointment the claim of the applicant ^{for} being selected on regular basis may also be considered.

3. The present OA is disposed of with the aforesaid directions. No costs.


(Ashok Agarwal)
Chairman


(Smt. Shanta Shastri)
Member(A)

/gtv/