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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. 2225 of 1989

New Delhi this the 9th day of June, 1994

Mr. Justice S.K. Dhaon, ViceChairman
Mr. B.N. Dhoundiyal, Member

Shri Kedari Lal
R/o C-397, Kidwai Nagar,
New Delhi.

...Applicant

None for the Applicant

Versus

1. Union of India through
its Secretary,
Government of India,
Ministry of Surface Transport,
Transport Bhavan,
New Delhi.
2. Director,
Inland Water Transport Wing,
Ministry of Surface Transport,
Transport Bhavan,
New Delhi.
3. Secretary, to the Govt. of India,
Min. of Personnel & Training,
Public Grievances, Pensioners & Pensioners
Welfare,
North Block,
New Delhi.

...Respondents

None for the Respondents

ORDER (ORAL)

Mr. Justice S.K. Dhaon, Vice-Chairman

The legality of the office order dated 5.9.1989 passed by the Ministry of Surface Transport (Transport Wing) to the Government of India reverting the applicant Shri Kedari Lal as a Lower Division Clerk from the post of a Upper Division Clerk, is being questioned in the present application.

2. By an order dated 05.09.1986 passed by the Ministry of Transport, Department of Surface Transport, the applicant, a Lower Division Clerk was appointed to officiate as a Upper Division Clerk on purely temporary and ad hoc basis until further orders. The letter of appointment made it clear that the said appointment will not bestow on the applicant a claim for a regular appointment and the ad hoc service rendered by him will not count for the purpose of seniority and confirmation.

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3. In the counter-affidavit filed on behalf of the respondents the plea taken is that the applicant acquired no right whatsoever on the basis of the said letter of appointment on officiating and ad hoc basis and the department have a right to revert him to his substantive post of Lower Division Clerk.

4. We have gone through the contents of the O.A. and the material on record. We are unable to discern any illegality in the order of reversion. We find that the Tribunal did not grant any interim order to the applicant. The impugned order having been passed on 5.9.1989 has ~~withstood~~ withstood all these years. The application is dismissed but without any order as to costs.

B.N. Dhoundiyal
(B.N. DHOUNDIYAL)
MEMBER (A)

S.K. Dhaon
(S.K. DHAON)
VICE CHAIRMAN

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