

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

O. A. NO. 2244/89

New Delhi this the 9th day of May, 1994.

CORAM :

THE HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN  
THE HON'BLE MR. P. T. THIRUVENGADAM, MEMBER (A)

R. D. Mishra S/O C. L. Mishra,  
R/O C-I, Data Nagar,  
Madhu Vihar, Palam,  
New Delhi.

... Applicant

By Advocate Shri Mukesh Kr. Gupta

Versus

1. Union of India through  
Secretary, Ministry of  
Transport, Border Roads  
Development Board,  
B. Wing, 4th Floor,  
Sena Bhawan, New Delhi.

2. The Secretary,  
Border Roads Development Board,  
B-Wing, 4th Floor, Sena Bhawan,  
New Delhi.

... Respondents

By Advocate Shri M. M. Sudan

O R D E R (CRAL)

Shri Justice V. S. Malimath -

The petitioner, Shri R. D. Mishra, was appointed on 7/10.4.1980 as a Hindi Typist on ad hoc basis in an ex-cadre post. In due course he was appointed on quasi permanent basis in April, 1983. On 1.4.1986 he was appointed on ad hoc basis as UDL for a period of three months and further continued on the same post till 6.10.1989 when he was reverted as Hindi Typist. It is in this background that the petitioner has in this application prayed for quashing of orders dated ✓6.10.1989 and 26.10.1989 and further for a direction

to consider his case sympathetically and to declare that he is deemed to have been regularised as UDC, and other consequential reliefs.

2. The respondents have in their reply stated that the promotion of the petitioner on ad hoc basis as UDC was by way of stop-gap-arrangement since the regular incumbents to the posts of Jr. Hindi Translator and Assistants were not available from the Deptt. of Official Language and other Accounting Departments. When regular incumbents were selected to these posts, the ad hoc appointments of both the petitioner and Smt. Manju Pathak were terminated w.e.f. 6.10.1989. It is stated that thus the incumbents had to be reverted back to the posts they were holding before their ad hoc promotions. to accommodate the regular incumbents who were posted to these posts. There is no reason to disbelieve this statement particularly having regard to the fact that the petitioner's appointment as UDC was expressly made on ad hoc basis. If ad hoc appointment was made by way of stop-gap-arrangement until incumbents on regular basis became available, the petitioner cannot complain of his reversion resulting from the posting of the regular incumbents in the post held by him on ad hoc basis. We, therefore, see no good grounds to interfere with the order of reversion. Consequently, the question of regularisation in the cadre of UDCs does not arise.

3. In the reply, inter alia, it is stated that the department is exploring the possibility of providing suitable avenues for promotion to the incumbents on

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the post of Hindi Typists. The counsel for the petitioner submitted that in the circumstances we should direct providing of suitable avenues for promotion to the petitioner. We should at the outset say that the Tribunal cannot issue any directions in this behalf as it is a policy matter which the government has to examine taking into consideration all the relevant aspects. The courts have pointed out time and again that there should be suitable avenues available for promotion to government servants. That is very much in the interest of public service. It will not be in public interest if the government servants remain frustrated if they have nothing to look forward in their career. We, therefore, think that these aspects should be borne in mind to ensure that there is no frustration so far as the persons like the petitioners in the department are concerned. It is, therefore, ~~expressly~~ hoped that this will engage prompt and concerned attention from the authorities concerned.

4. With these observations, we dismiss this application. No costs.

P. T. Thiruvengadam

( P. T. Thiruvengadam )  
Member (A)

V. S. Malimath

( V. S. Malimath )  
Chairman

/as/