

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI.

D.A. No. 1415/88.

Date of decision: October 21, 1993.

Dr. Dinesh Mathur ... Petitioner.

Vs.

Director General,  
Health Services  
(CGHS) and another ... Respondents.

CORAM :

HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.

HON'BLE MR. S.R. ADIGE, MEMBER (A).

For the petitioner ... Shri B.S. Charya,  
counsel.

For the respondents ... None.

JUDGMENT (ORAL)

(By Mr. Justice V.S. Malimath, Chairman)

The petitioner was appointed on ad hoc basis on 14.8.1987 as a Homoeopathic physician in C.G.H.S. Dispensary, Hari Nagar and continued from time to time with a technical break until the last order came to be made for appointment on 20.5.1988 as per Annexure P-1.

Apprehending that his services would be terminated on the expiry of the term, he approached the Tribunal and obtained an interim order. On the strength of the interim order, he continued for some time and until the interim order was modified by the Tribunal on 9.9.1988 when regularly selected candidates had become available, and they had to be accommodated. As the petitioner was working on ad hoc basis, it would not be possible for us

to direct continuance of the petitioner on ad hoc basis when regularly selected candidates have become available. Hence, no relief in this behalf can be granted. So far as the ad hoc appointment in future is concerned, it is entirely a matter of discretion of the respondents. Suffice to say that persons like the petitioner who have served the department for some time on ad hoc basis having acquired some experience of working, they may deserve some consideration. They have no right to claim ad hoc appointment in future. Shri B.S. Charya, learned counsel for the petitioner submitted that some emoluments due to the petitioner have not been paid to him because of the pendency of the proceedings. We cannot issue any direction as there is no such claim. Suffice to say that, if any, amount is due to the petitioner, in accordance with law, it has to be paid if withheld on the ground of pendency of the proceedings.

Subject to the above, this O.A. is disposed of. No costs.

*Adige*  
(S.R. ADIGE)  
MEMBER(A)

*Malimath*  
(V.S. MALIMATH)  
CHAIRMAN

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