

(6)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

C. A. NO. 332/88

DECIDED ON : 4.6.1993

Dr. Gurcharan Singh

... Petitioner

Vs.

Union of India

... Respondents

COURT :

THE HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN  
THE HON'BLE MR. B. N. DHUNDIYAL, MEMBER (A)

Shri K. L. Bhatia, Counsel for Petitioner  
Shri K. G. Mittal, Counsel for Respondents

JUDGMENT (ORAL)

Hon'ble Mr. Justice V. S. Malimath, Chairman :-

The petitioner came to this Tribunal with the prayer that the period of service rendered by him on ad-hoc basis from 1.6.1976 be taken into account for the purpose of determining his seniority. He was regularly appointed in the year 1980 is a fact which is not in dispute. There are two reasons why we should decline to interfere in this case. The first is that during the pendency of these proceedings the petitioner sought voluntary retirement under Rule 48-A of C.C.S. (Pension) Rules as is clear from the order dated 27.7.1992 which was placed for our perusal by Shri Mittal, learned counsel appearing for the respondents. The petitioner having thus sought voluntary retirement and ceased to be in service, we see no reason for granting the relief regarding seniority. Even otherwise, we find that the petitioner's appointment was only on ad-hoc basis by way of stop-gap arrangement from the year 1976 and not by way of regular selection in accordance with the relevant rules. The said

period of ad-hoc appointment, therefore, cannot be added for counting his seniority on his regular appointment in the year 1950.

2. Hence, we see no good grounds to interfere in this case. The present petition is accordingly dismissed. No costs.

S. N. Ankyl  
( B. N. Dhoundiyal )  
Member (A)

V. S. Malimath  
Chairman