

14

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

C.A. 482/88

Date of decision: 6.10.1993

Dr. Rajinder Rajan

... Petitioner.

Versus

Ministry of Health and
Family Welfare,
Department of Health,
New Delhi & anr.

... Respondents.

O.A. 500/88

Dr. Atul Kumar Bhardwaj

... Petitioner.

Versus

Ministry of Health and
Family Welfare,
Nirman Bhawan, New Delhi & Anr.

... Respondents.

OA 501/88

Smt. Dr. Vijay Laxmi B.Y.

... Petitioner.

Versus

Ministry of Health and Welfare
(Department of Health),
New Delhi & Anr.

... Respondents.

CORAM:

THE HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.
THE HON'BLE MR. S.R. ADIGE, MEMBER(A).

For the petitioners

... None.

For the respondents.

... Shri P.P. Khurana,
Counsel.

JUDGEMENT (ORAL)

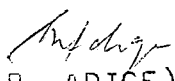
(By Hon'ble Mr. Justice V.S. Malimath,
Chairman)

None appeared for the petitioners. As these are very old cases, we considered it proper to look into the records, hear the learned counsel for the respondents Shri P.P. Khurana and dispose of these cases on merits.

2. The petitioners were appointed temporarily on ad hoc basis as Medical Officers at Rural Health Training Centre for

short periods which were continued from time to time. They have in these cases prayed for a direction to regularise their services principally on the ground that they have continued for nearly six years in ad hoc capacity. The respondents' counsel brought to our notice that these posts are required to be filled up on regular basis by selection by the U.P.S.C. He further submitted that merely because the petitioners have been accommodated as a stop-gap arrangement pending regular recruitment to these posts by the UPSC, they cannot claim regularisation of their services on the ground that they have continued temporarily on ad hoc basis for about six years prior to their approaching the Tribunal for relief. As on the materials placed before us it is clear that ad hoc arrangements were made pending filling up the vacancies on regular basis, we would not be justified in directing regularisation of the services of the petitioners. We cannot short-circuit the process by directing the filling up of regular vacancies by the process of regularisation of these petitioners in service. Shri P.P. Khurana, learned counsel for the respondents, also brought to our notice that the petitioners have been continued on ad hoc basis. He further assured that they would be continued on ad hoc basis until the vacancies are filled up in accordance with the relevant rules.

3. Having regard to the circumstances of the case, we consider it just and proper to dispose of these cases with a direction that as long as there is work and until the regular vacancies are filled up in accordance with the rules, the services of the petitioners who have been appointed on ad hoc basis as Medical Officers in the Rural Health Training Centre, shall not be terminated except on the ground of inefficiency or unsuitability or like reasons. No costs.


(S.R. ADIGE)
MEMBER(A)


(V.S. MALIMATH)
CHAIRMAN