

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
* * * *

O.A. NO. 246/87

DATE OF DECISION : 14.08.1992

Shri Ram Kishan

...Petitioner

Vs.

Secretary, Ministry of
Welfare, Govt. of India

...Respondent

CORAM

Hon'ble Shri I.K. Rasgotra, Member (A)

Hon'ble Shri J.P. Sharma, Member (J)

For the Petitioner

...None

For the Respondent

...None

1. Whether Reporters of local papers may be allowed to see the Judgement?

2. To be referred to the Reporter or not?

JUDGEMENT (ORAL)

(DELIVERED BY HON'BLE SHRI I.K. RASGOTRA, MEMBER (A))


The petitioner, a Group-D employee was promoted to work as L.D.C. vide order dt. 8.5.1984 for a period of 120 days w.e.f. 1.5.1984 to 28.8.1984 on ad-hoc basis or till Select List officers are appointed, whichever is earlier. Vide Office Order dt. 19.10.1984, the petitioner was informed that ad-hoc officiation was purely temporary and would not confer on him any claim for absorption or seniority in the higher grade. The ad-hoc appointment was extended from time to time and was ultimately discontinued w.e.f. 30.7.1985.


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The claim of the applicant is that he continued to work as ad-hoc LDC for a further period from 1.8.1985 to 8.1.1986. It is in this background that he has filed this application and claimed the payment of arrear of pay and other allowances in the grade of LDC for the period from 1.8.1985 to 8.1.1986. The respondents have not disputed the fact of his ad-hoc officiation without conferring on him any benefit ~~for~~ staking his claim for regularisation/seniority etc. as the appointment was purely temporary ² and of ad-hoc nature. The ad-hoc appointment was discontinued beyond 30.7.1985. No Office Order or any other official document has been produced by the petitioner indicating that he continued to work as LDC on ad-hoc basis beyond 31.7.1985. There is, however, a letter issued by Junior Accounts Officer of the Ministry of Social Welfare that the service of the petitioner was utilised as LDC for the said period and that he performed the duty of issue of tokens and cheques etc. The respondents, on the other hand, have filed copies of the various orders issued by the respondents, appointing him as an LDC on ad-hoc and temporary basis and extending the ad-hoc promotion till it was discontinued on 30.7.1985 vide Annexures R1, R2, R3 and R5. We also observe that the petitioner appeared in the Staff

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Selection Commission Clerks' Grade Examination and after being declared successful, he was regularly appointed in the Ministry of Urban Development as LDC on 9.1.1986. In the above circumstances of the case, we do not consider that it is a fit matter for our interference in absence of any official order indicating his appointment as LDC beyond 31.7.1985. The Original Application is accordingly dismissed. No costs.


(J.P. SHARMA)
MEMBER (J)
14.08.1992


(I.K. RASGOTRA)
MEMBER (A)
14.08.1992

AKS