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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH : NEW DELHI

C.C.P. NO. 146/91 in  
O. A. NO. 1883/88

DECIDED ON : 22.1.1992

Smt. Renu Sehgal

... Petitioner

Vs.

Dr. Narehdra Behari, Medical  
Superintendent, Ram Manohar  
Lohia Hospital, New Delhi

... Respondent

CORAM

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

THE HON'BLE MR. P. C. JAIN, MEMBER (A)

Shri D. R. Gupta, Counsel for Petitioner

None for Respondent

ORDER (ORAL)

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

The grievance in this case is that the interim order of the Tribunal has been violated. The interim order directed the respondents to continue the complainant in service till a nominee of the Staff Selection Commission becomes available. The complainant had come before the Tribunal apprehending termination of her ad-hoc appointment when the Tribunal made interim order in the aforesaid terms. Now the respondents have passed an order to relieve the complainant w.e.f. 8.5.1991 consequent upon joining of an L.D.C. nominated by the Staff Selection Commission. This has been done by order dated 9.5.1991. Copy of the order in this behalf was placed for our perusal during the course of arguments.

2. Learned counsel for the petitioner submits that there are other persons who are appointed later than her on ad-hoc basis, who are still continuing, whereas the complainant has been relieved. This, according to him, is attributable ~~to~~<sup>for</sup> a mis-reading of the interim order of the Tribunal. It is submitted that the respondents should not be permitted to take advantage of mis-reading or mis-interpreting the order of the Tribunal.

3. If we are satisfied that the respondents are deliberately terminating the services of the complainant by resorting to mis-interpretation or mis-reading of the interim order of the Tribunal, we should be with the complainant. But on a careful consideration of the interim order, we find it difficult to accede to the contention that there is any mis-reading of the direction of the Tribunal. The direction of the Tribunal really does not give any scope for ambiguity to give scope for mis-reading. The Tribunal has directed the respondents to continue the complainant in service till a nominee of the Staff Selection Commission becomes available. The clear effect of this direction is that the respondents are not under an obligation to continue the complainant in service once a nominee of the Staff Selection Commission becomes available. It is not disputed that upon the nominee of the Staff Selection Commission becoming available, then alone the order to relieve the complainant of her ad-hoc duties came to be made on 9.5.1991.

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4. We are, therefore, satisfied that there is no contravention of the interim order by the respondents. Hence, the petition is dismissed. The rule is accordingly discharged. No costs.

*Clear*  
( P. C. JAIN )  
MEMBER (A)

*V. S. Malimath*  
( V. S. MALIMATH )  
CHAIRMAN

as

22.1.1992