

CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH  
ALLAHABAD

Dated: This the 9th day of May, 1997

Coram : Hon'ble Mr. S. Das Gupta AM  
Hon'ble Mr. T. L. Verma JM

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ORIGINAL APPLICATION NO. 842/96

Rajendra Kumar Tripathi  
s/o Mohan Lal aged 27 years  
r/o Tiwari Ka Pura, Dubawal,  
District Allahabad- - - - - Applicant

C/A Sri O. P. Gupta

Versus

1. Welfare Commissioner, Govt. Of India,  
Ministry of Labour, Office of the  
Labour Welfare Organisation, 555-A/2,  
Mumfordganj, Allahabad.
2. Project Director, ILO/UNFPA-Project,  
Ministry of Labour, Jaisalmer House,  
Mansingh Road, New Delhi.
3. Union of India through Secretary,  
Ministry of Labour, Govt. of India,  
New Delhi. Jaisalmer House, Mansingh Road,  
New Delhi. - - - - - Respondents

C/R Sri N. B. Singh

Order (Oral)

By Hon'ble Mr. S. Das Gupta AM

Applicant in this case was appointed  
as Messenger by Welfare Commissioner, Allahabad against  
the post created for U.N.F.P.A. project by order dated  
24.2.1994. The applicant had been working on the post  
since then, but by order dated 29.6.1996 his services  
were terminated with effect from 30.6.1996 consequent



upon the completion of the Project. This order has been challenged by the ~~ground~~ applicant on the ground that termination of his services is wholly arbitrary since sanction has been accorded for continuation of one post of Messenger till 31.7.1996 and other averments are that there ~~are~~<sup>is</sup> some agreement that the post of Messenger would continue even after the termination of the Project.

2. The respondents have filed counter affidavit in which it has specifically been stated that on completion of the Project, services of the applicant was terminated. It has also been stated that the Project Director vide its letter dated 8.7.96 circulated to all the four Welfare Commissioners under whom Project works were undertaken gave detailed instructions regarding winding up of the Project ~~till~~<sup>by</sup> 30.6.1996. ~~From~~<sup>in</sup> this letter, it was decided to wind up Project head office as well as all the project, w.e.f 30.6.1996. Ministry of Health and Family Welfare was requested to grant one months time from 1.7.1996 to 31.7.1996 for winding up the Project. It was also mentioned <sup>about</sup> ~~that~~ repatriation of the deputationists except 'junior' Clerk and Messenger whose services are to be readjusted/terminated by 30.6.1996 as the extension of one month for winding up operation do not cover ~~up~~ these two posts. Since there was no post of Messenger in L.W.O. under Allahabad Region, the applicant could not be readjusted.

3. We have heard the learned counsels for both the parties and perused the pleadings on record.

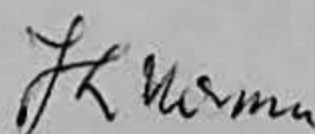
4. The respondents have annexed offer of appointment to the applicant. It has been specifically stated in para 3 thereof that the post is available


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upto the end of Project. There is no dispute that the Project has come to an end. As per terms and conditions of adhoc appointment, respondents have every right to terminate the services of the applicant. In this view of the matter, fact remains that in terms and conditions of adhoc appointment, applicant has no right to continue beyond the completion of Project. We, therefore, find nothing wrong with the order of termination of the services of the applicant.

5. Before parting with the case, we may mention that the learned counsel for the respondents submitted that some vacancies are now available in the same establishment and some are likely to be filled up shortly. <sup>do, it</sup> If <sup>it</sup> would, ~~therefore~~, be fair on the part of the respondents to consider the applicant's absorption in preference to fresh ~~pages~~.

6. Application stands disposed of accordingly. Parties shall bear their own costs.

  
Member (J)

  
Member (A)

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