

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A.No.1157/2021

This the 30th day of June, 2021

(Through video conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

Aditya Vashisht, aged 27 years,
S/o Sh. Rakesh,
R/o 10, Patla Kutivala,
Modinagar, Ghaziabad,
Uttar Pradesh-201204

And 38 others as per memo of parties

-Applicants

(By Advocate Mr. C.M. Jha)

-Versus-

1. Govt. of NCT of Delhi through its Secretary,
Delhi Secretariat, I.P. Extension,
New Delhi.
2. Secretary, Food & Irrigation Department,
L.M. Bund Office Complex,
Shastri Nagar, Delhi-110031.
3. Secretary/Controller of Exam,
DSSSB (Delhi Subordinate Service Selection Board)
FC-18, Institutional Area,
Karkardooma, Delhi-110092.
4. Intelligent Communication System India Ltd. (ICSIL),
Through Director, Administrative Building,
Above Post Office, Okhla Industrial Estate,
Phase-3, New Delhi-110020.

-Respondents

(By Advocate Ms. Esha Mazumdar)



ORDER (Oral)**Hon'ble Mr. Justice L Narasimha Reddy, Chairman:**

The applicants were engaged as Junior Engineers (JEs) by the Food and Irrigation Department, Government of Delhi, through an outsourcing agency, i.e., the 4th respondent herein, 03 or 04 years ago. The respondents issued an advertisement dated 07.08.2017 proposing to fill the posts of JEs on regular basis.

2. The applicants filed this OA with a prayer to quash the advertisement, and to direct the respondents to regularize their services against the existing vacancies, either by absorbing them or through any other method. They contend that they rendered services for the past several years, to the satisfaction of the respondents and they fulfil the conditions and qualifications, prescribed for the post. Reliance is placed upon certain orders passed by the High Court of Mumbai in a Writ Petition.

3. Today, we heard Shri C.M. Jha, learned counsel for the applicants and Ms. Esha Mazumdar, learned counsel for the respondents.

4. The challenge in this OA is to an advertisement which was issued way back in the year 2017. What is a bit surprising is that some of the applicants were engaged on



outsourcing basis much after the advertisement was issued. Therefore, the question of their challenging the advertisement does not arise.

5. Even otherwise, the filling up of the post is governed by the recruitment rules, the engagement of the applicants were almost as a stop gap arrangement. They can very well participate in the selection if they are otherwise eligible and fit in to the parameters of the advertisement issued in the year 2017, or the one issued thereafter.

6. We do not find any merit in the OA and it is accordingly dismissed. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

Pj/lg/sd/sarita