

11/11/77

THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD
-:01:-

O.A.No.1046/87

V.S.Tripathi and others

Applicants

Versus

Union of India and others

Respondents

HON'BLE MR MAHARAJDIN, MEMBER-J
HON'BLE MR V K SETH, MEMBER-A

(By hon'ble Mr Maharajdin, Member-J)

The applicants have filed this application seeking the relief that the respondents be directed not to proceed any further with the appointment of persons outside the list of the adhoc/seasonal laboratory attender for the three permanent posts of Laboratory Attender in which the interview was held on 07-10-87. It has been further prayed that the respondents be also directed to fill all the permanent posts of Laboratory Attender including three permanent posts out of the list prepared with the result of the interview held on 7-10-87.

The applicants were appointed as Laboratory Attender for seasonal work and they have worked several years as has been shown against the name in the last column of Annexure A-1. The respondents have made regular selection of the Laboratory Attender consequent upon promotion of some of the Laboratory Attender to the higher rank and they have filled all the permanent

*Sh. K. C. Sinha Counsel for respondents
C/o C.A.T. Bldg, Allahabad.*

2/9

posts of Laboratory Attender. The applicants were engaged in the seasonal work and their appointment was, at no point of time, contemplated to be made on regular basis. The selection of the applicants which are shown in the list Annexure A-1 has not been made according to the rule provided for the purpose of selection, whereas the persons who have been selected and appointed as a regular laboratory attender were selected according to rules such as having considered their educational qualifications etc. During the course of arguments the learned counsel for the respondents has stated that the rules for the selection were not made so far rather the selection for appointment on the permanent post was made on the basis of ad-hoc rule framed by the department. The applicants have worked for a considerable period and it would be just and proper on the part of the respondents to absorb them on regular basis giving the weightage of their services already tendered and if necessary the rules in this respect should also be framed. The respondents would comply ^{etc} this exercise within a period of four months from the date of communication of this order.

The O.A. is disposed off with these observations

with no order as to cost.

(A. K. GHOSH)

Section Officer,

Central Administrative Tribunal

Allahabad Bench

Sd/
MEMBER-A

Dated: Allahabad, August 1993.
(VKS PS).

Sd/
MEMBER-B

Prepared
by
17/9/93

Delivered on 21/9/93

Leg.