

CENTRAL ADMINISTRATIVE TRIBUNAL, ALIAHABAD BENCH,
ALIAHABAD.

Dated : Allahabad this 17th day of November, 1995.

QUORUM : Hon'ble Mr. S. Das Gupta, Member-A.
Hon'ble Mr. T. L. Verna, Member-J.

Original application No. 797 of 1988

Jai Pal Singh son of Sri Jaswant Singh,
Electrician, Common Facility of Service Centre,
7/263, Lal Gate, Farrukhabad, U.P.....Applicant.

(By Advocate Sri S.M.Dayal)

Versus

1. Union of India through the Development
Commissioner, (Handicrafts) West Block No.7,
R.K.Puram, New Delhi-66.

2. Assistant Director, Common Facility Service
Centre, 7/263, Lal Gate, Farrukhabad, U.P.

.....Respondents.

(By Advocate Sri Amit Sthalker).

O R D E R (Oral)

(By Hon.Mr. S. Das Gupta, Member-A)

The respondents advertised a post of
Electrician in Common Facility Service Centre,
Farrukhabad. The applicant was selected for the
said post. Thereafter he was appointed on adhoc
basis as Electrician. The services of the applicant
and other similarly placed persons were extended
from time to time but, he was neither given any
annual increment for the entire period of adhoc
service nor he was regularised as Electrician.

This original Application has been filed seeking the relief of a declaration that the applicant is a regular and confirmed employee on the post of Electrician in the Common Facility Service Centre, Farrukhabad, and also for a direction to the respondents to pay the arrears of annual increment and other benefits from the date, the applicant becomes regular employee under the respondents.

2. In the counter-affidavit, the respondents have stated that at the time of the interview, the applicant was clearly told that his services should be on adhoc basis and the applicant had accepted the appointment offer knowing that the appointment is on adhoc basis. However, it has now been stated in the Supplementary-Counter-Affidavit that this applicant has since been regularised as the Electrician with effect from 4.10.1993, by an order dated 11.2.1994, which is annexed as Annexure-SCA-2. The applicant has also been confirmed on the post of Electrician in the Common Facility Service Centre, by order dated 14.8.1995, a copy of which is as Annexure-SCA-3. It has further been averred that the respondents have also decided to release the annual increments which have not been sanctioned so far since the date of adhoc appointment and the requisite order in this regard have also been issued.

.....contd. on page 3/---

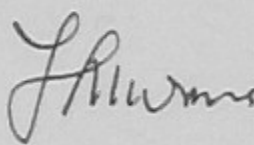
VL

(14) 12/13

-3-

3. It is clear from the averments made in the Supplementary-Counter-Affidavit that the relief prayed for, have already been granted by the respondents. Although, the copy of this Supplementary-Counter-affidavit has not been served on the applicant, and he had no opportunity of filing a Supplementary Rejoinder-Affidavit, to the same, we see no reason to disbelieve the averments in the Supplementary-Courter, Affidavit, which is solemnly affirmed.

4. In view of the foregoing, we find that this application has become infructuous and is disposed of accordingly, leaving the parties to bear their own costs.


Member-J.


Member-A.

Pandey/-