

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL(ALLAHABAD BENCH)ALLAHABAD.

D.A.NO.

T.A.NO.

1763

OF 1992

Date of decision: 10-2-93

.....Dr. Ganesh Rai..... Petitioner

.....Sri N. K. Nair..... Advocate for the petitioner.

Versus

.....Union of India & ors..... Respondents.

.....Sri K. C. Sinha..... Advocates for the Respondent(s)

CORAM :-

The Hon'ble Mr. Justice V. C. Sri Vastava, v.c.

The Hon'ble Mr. K. Chayya, A.M.

1. Whether Reporters of local papers may be allowed to see the judgment ? N
2. To be referred to the Reporter or not ? N
3. Whether their Lordships wish to see the fair copy of the judgment ? N
4. Whether to be circulated to all other Benches ? N

NAQVI/

Signature

CENTRAL ADMINISTRATIVE TRIBUNAL, ALIAHABAD BENCH,
ALIAHABAD.

O.A.No.1763 of 1992.

Dr. Ganesh RaiApplicant.

Versus

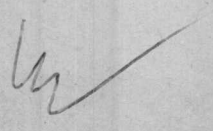
Union of India & others.....Respondents.

Hon'ble Mr. Justice U.C. Srivastava, V.C.

Hon'ble Mr. K. Obayya, A.M.

(By Hon'ble Mr. Justice U.C. Srivastava, V.C.)

The applicant was employed as Medical Officer in the Ordnance Clothing Factory Hospital, Shahjehanpur. In the year 1987, there existed a large number of regular and permanent vacancies of Medical Officers in the Ordnance Factories Hospital and the Union Public Service Commission could not make selection and a requisition was made from the Employment Exchange for calling the names of the qualified and competent Medical graduates. Several Medical Officers were appointed. The applicant was also given appointment initially on adhoc basis and thereafter his adhoc appointment continued. Again it was extended for six months and it was terminated w.e.f. 7.3.88 and the services of the applicant were terminated with effect from that date. It appears that thereafter the applicant was issued a copy of order dated 23.3.88 stating that he was appointed as a Short Term Medical Officer on the pay of Rs.2200/- p.m. + usual allowances. The applicant was again issued an order dated 8.9.88 stating that his services as Short Term Medical Officer on casual basis for a period of six months have been terminated w.e.f. 9.9.88. Again he was issued a letter dated 12.9.88 stating that the applicant's services having been terminated w.e.f. 9.9.88, he can be re-appointed as Medical Officer on short term basis as a fresh appointee on the same terms and conditions. He was also served with a copy of order dated 11.3.89

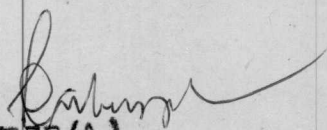


stating that the services of the applicant said to be on casual basis for a period not exceeding six months have been terminated w.e.f. 11.3.89. This was done as the applicant's services again continued by issuing an appointment order and this process continued. Lastly the services of the applicant were terminated. Interim order is still continuing to hold the post. Accordingly, the respondents are directed to regularise the services of the applicant with restrospective effect with consequential benefits instead of terminating his services treating the applicant's services on Short Term basis.

2. Similar matter came before us for consideration in case No. 707 of 1992 'Dr. Bharat Ratan Vs. Union of India & others' and we have made the following observations in that case:-

"Accordingly, this application is allowed and respondents are directed to consider the case of the applicant for regularisation after perusing the Annual Confidential reports within a period of four months from the date of communication of this order. In case, in between the services of the applicant have been terminated, the same shall stand quashed. No order as to costs."

3. The same order will hold good in the case of applicant also. With the above directions, the application stands disposed of finally.


MEMBER (A)

DATED: FEBURARY 10, 1993.

(ug)


VICE CHAIRMAN.