

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

original Application No. 321 of 2000

Allahabad this the 21st day of August, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)  
Hon'ble Mr.M.P. Singh, Member (A)

Dr.Mrs. Evelina P. Mazumdar, Civilian Medical  
officer, central ordnance depot, Chheoki, Allahabad.

Applicant

By Advocate Shri vipin sinha

versus

1. union of India through the commandant,  
central ordnance depot, Chheoki, Allahabad.
2. The Administrative officer, Central ordnance  
depot, Chheoki, Allahabad.
3. The Director General of Armed Forces, Medical  
Services, (D G A F M S / D G 2 B), Ministry  
of Defence, DHQ PO, New Delhi - 110001.

Respondents

By Advocate Shri D.S. Shukla

O R D E R ( oral )

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

vide order dated 17.2.1999, copy of  
which has been annexed as annexure-1 to the O.A.,  
the applicant was appointed as civilian medical  
officer on ad hoc basis at C.O.D., Chheoki, a  
defence establishment, inter-alia, on terms and  
conditions of his service that "the appointment  
is purely on ad hoc basis for a period of one



year from the date you assumed duties or till a regular incumbent is posted, whichever is earlier." In pursuance of this appointment letter, the applicant Dr. (Mrs.) Evelina P. Mazumdar reported for duty on 15.3.1999 and ~~and~~ as per applicant's case, she worked satisfactorily for which a certificate was issued to her by an officer in the respondents establishment, copy of which has been annexed as annexure -3 to the O.A., which is dated 07.3.00. Now vide Notification dated 16.2.2000, the respondents have advertised this post inviting applications. The applicant has been served with a termination order dated 23.2.2000, against which she has come up before the Tribunal.

2. The respondents have contested the case and filed counter-reply mainly on the ground that the appointment of the applicant was for a period of one year and on expiry of this term, her services have been terminated.

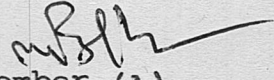
3. Heard, the learned counsel for the parties and perused the record.

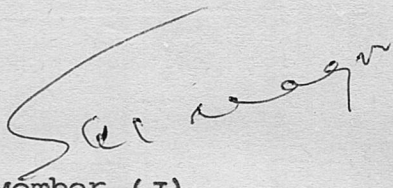
4. It is not in dispute that the appointment of the applicant was on ad hoc basis and also that the post notified and <sup>the</sup> an advertisement inviting application, is also for appointment on ad hoc basis and thereby the applicant is going to be replaced by another ad hoc incumbent, which is against the principle of natural justice and



against the law and guide lines handed down by the Hon'ble Apex Court on several occasions. Annexure-3 to the O.A., which is rather a testimonial issued to her acknowledging the quality of her service at the present post, indicates that she is discharging her duties to the satisfaction of her superiors.

5. For the above, we find force in the contention of the applicant and the O.A. is allowed accordingly, with the direction to the respondents that the applicant be not replaced, except by an incumbant having better title and claim to the post. No order as to costs.

  
Member (A)

  
Member (J)

/M.M./