

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD.

Original Application No.1078 of 2003.

Allahabad this the 16th day of September, 2003.

Hon'ble Mr.Justice R.R.K. Trivedi, V.C.

Hon'ble Mr.D.R. Tiwari, Member-A.

Umesh Kumar Upadhyaya son of Sri Kapil Dev Upadhyaya, aged about 33 years, r/o Village /P.O Khanpur District Mirzapur (U.P) posted as Principal Kendriya Vidyalaya, P.O. Bijpur, Rihandnagar, Sonbhadra.

.....Applicant.

(By Advocate : Sri L.C. Srivastava)

Versus.

1. Union of India through its Secretary, Ministry of Human Resources, New Delhi.
2. Assistant Commissioner, Kendriya Vidyalaya Sangathan (A Government of India Ministry of HRD Department of Education) regional office Kankarbadh O/o Lohiya Nagar, Patna.
3. Principal Kendriya Vidyalaya, P.O. Vijpur Rihand Nagar, District Sonbhadra.
4. Managing Committee, Kendriya Vidyalaya through its (Ex-Officio)Chairman/ District Magistrate, Sonbhadra.

.....Respondents.

(Sri Advocate : Sri N.P. Singh)

O_R_D_E_R_

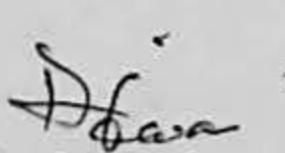
(Hon'ble Mr.Justice R.R.K. Trivedi, V.C.)

By this O.A., filed under section 19 of Administrative Tribunals Act 1985, the applicant has challenged the order dated 16.08.2003 by which he has been terminated



from service as T.G.T (Eng) in Kendriya Vidyalaya, Rihandnagar, Sonbhadra. It may be noticed that before filing the present O.A., applicant filed O.A. No. 433 of 2001, challenging the orders of termination dated 19.03.2001 and 20.03.2001. O.A was dismissed on 30.01.2003 on merit after hearing at length. It was found that the applicant's appointment was on adhoc basis. In his place, Pratima Srivastava was already selected for appointment as T.G.T (Eng). Adhoc arrangement could be replaced by regularly selected candidate as provided by judgment of Hon'ble High Court in writ petition No. 24379 of 1992. The impugned order of termination dated 16.8.2003 has been passed in reference to the order dated 30.01.03 passed in O.A. No.433 of 2001. In fact impugned order of termination has been passed in continuation of earlier orders of termination.

2. In the circumstances, we do not find any merit in this O.A. The O.A. is accordingly dismissed with no order as to costs.


Member-A


Vice-Chairman.

Manish/-