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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION No 914/2006

MONDAY, THIS THE 4th DAY OF SEPTEMBER, 2006

HON'BLE MR. A.K. BHATNAGAR ... MEMBER (J)

HON'BLE MR. A.K. SINGH ... MEMBER (A)

Virendra Kumar Sankar,
Aged about 29 years,
S/o Shri Devi Charan Sankar,
R/o 109/147, Jawahar Nagar,
Kanpur. ...

Applicant

(By Advocate Shri Rakesh Verma)

Vs.

1. Union of India, through its Secretary,
Department of Revenue,
Ministry of Finance,
New Delhi.
2. The Principal Chief Controller of Accounts,
Central Board of Direct Taxes,
9th Floor, Lok Nayak Bhawan,
Khan Market, New Delhi – 110 003.
3. The Principal Chief Controller of Accounts,
Central Board of Direct Taxes,
Zonal Accounts Office,
16/69 Aayakar Bhawan,
Civil Lines, Kanpur – 208 001,
4. Shri Uma Kant Jha, S/o Not known,
Working as Accountant on adhoc basis,
in the Office of the
The Principal Chief Controller of Accounts,
Central Board of Direct Taxes,
Zonal Accounts Office,
16/69 Aayakar Bhawan,
Civil Lines, Kanpur – 208 001. ...

Respondents

(By Advocate Shri Saumitra Singh,
Senior Central Government Standing Counsel)

ORDER

Hon'ble Mr. A.K. Bhatnagar, Member (J) :

Heard Shri Rakesh Verma for the applicant.

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2. By this O.A., the applicant has prayed for a direction to the respondents to appoint the applicant on the post of Accountant on Ad-hoc basis and permit him to continue till such time a regularly selected candidate joins the post and to pay his salary and other allowances month to months regularly.

3. The brief facts, as per the applicant are that he was appointed on the post of Accountant on Ad-hoc basis on 02.05.2001, after due selection. He appeared in the written examination as well as interview through the Employment Exchange. Thereafter, he joined on the post on 08.05.2001. After expiry of six months, the services of the applicant were terminated by order dated 07.11.2001 (Annexure-A5) in this O.A. The applicant along with four others filed O.A. No.399/2002, before this Tribunal, and the Tribunal, after hearing the parties, passed the following order.

“3. Considering the aforesaid aspects, we dispose of this OA with a direction to respondent No.2 that if they need fresh hands to discharge the duty of Accountant, no arrangement may be made on adhoc basis except by giving chance to applicants. However, the applicants will have no claim, if the appointments are made on regular basis. No order as to costs.”

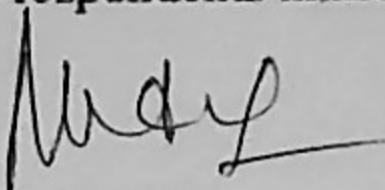
4. A copy of the said order was served on the respondents on 28.02.2003. Now, the only grievance of the applicant is that in spite of the direction of this Tribunal passed in O.A. No.399/2002, the respondents have appointed one Shri Uma Kant Jha, Respondent No.4, in this O.A. on adhoc basis on the post of Accountant ignoring the claim of the applicant and also against the direction of this Tribunal in the aforesaid O.A. Thereafter, he sent a representation on 08.02.2005, to Respondent No.3, and the same is still lying undecided at the respondents' side. At this stage, Shri Rakesh Verma, counsel for the applicant, submitted that the applicant shall be satisfied if his representation dated 08.02.2005, is decided by the competent authority, i.e., Respondent No.3, by a reasoned and speaking order within a stipulated period.

(4)

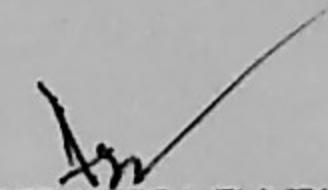
5. In view of the facts and circumstances of the case, we are of the view that this O.A. can be finally disposed of at the initial stage itself by issuing an appropriate direction.

6. Accordingly, the O.A. is finally disposed of by directing Respondent No.3, The Principal Chief Controller of Accounts, Central Board of Direct Taxes, Zonal Accounts Office, 16/69 Aayakar Bhawan, Civil Lines, Kanpur – 208 001, to decide the representation of the applicant dated 08.02.2005 by a speaking and reasoned order within a period of three months from the date of receipt of a certified copy of this order. No order as to costs.

7. For taking early decision in the matter, counsel for the applicant may send a fresh copy of the O.A. along with a copy of the order passed in O.A. No.399/2002 to the respondents immediately.



(A.K. SINGH)
MEMBER (A)



(A.K. BHATNAGAR)
MEMBER (J)

psp.