

4

49

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO. 584 of 1995.

Cuttack this the 14th day of October, 1998.

RAJ MOHAN SAHOO.

...

APPLICANT.

VRS.

UNION OF INDIA & OTHERS.

....

RESPONDENTS.

(FOR INSTRUCTIONS)

1. Whether it be referred to the reporters or not? Yes
3. Whether it be circulated to all the Benches of the
Central Administrative Tribunal or not? No

Somnath Som
(SOMNATH SOM)
VICE-CHAIRMAN

14.10.98

14.10.98
(G. NARASIMHAM)
MEMBER (JUDICIAL)

5

5

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO. 584 OF 1995.

Cuttack this the 14th day of October, 1998.

CORAM:

THE HONOURABLE MR. SOMNATH SOM, VICE-CHAIRMAN

AND

THE HONOURABLE MR. G. NARASIMHAM, MEMBER (JUDICIAL)

Rajmohan Sahoo, aged about 29 years,

Son of Kshetramohan Sahoo, resident of

Matha Sahi, Tulasipur, P.O. Cuttack-3,

P.S. Bidanasi, City/Dist. Cuttack.

..... APPLICANT.

By legal Practitioner : M/s. R. B. Mohapatra, N. J. Singh,
J. K. Nayak, S. Sarkar, Miss. B. Rath,
Advocates.

-versus-

1. Union of India represented through
its Secretary, Government of India,
Ministry of Information & Broadcasting,
Sastri Bhawan, New Delhi.
2. Director General, Doordarshan,
Mandi House, Doordarsan Bhawan,
New Delhi.
3. Director, Doordarshan Kendra,
Bhubaneswar, P.O. Bhubaneswar-5,
Dist. Khurda, Orissa.

... RESPONDENTS.

By legal Practitioner:- Mr. U. B. Mohapatra,

Additional Standing Counsel (Central)

.....

O R D E R

MR. G. NARASIMHAM, MEMBER (JUDICIAL)

Applicant rendered service on casual basis as Lighting Assistant under Respondent No.3 from 1985 to 1991 on the basis of contract executed between him and Respondent No.3 vide Annexure-2 series. He and many other Casual Artists under the Respondents filed Original Application No.441/1992 before this Tribunal for regularisation. This Original Application alongwith O. A. Nos.362/92 and 562/92 filed by similar casual workers were disposed of on 16.11.1993 with a direction to the Respondents to prepare a seniority list Kendriyewise and appoint the incumbents basing on their seniority as and when vacancy arises in future.

2. In this Original Application, the main relief sought is for regular appointment in the available vacancy.

3. Respondents do not dispute the period of service rendered by the applicant on casual basis. According to them, as per the seniority list prepared, applicant's position is at Sl.No.1. He could not be regularised due to non-availability of vacancy. Though vacancies occurred due to promotion of three Lighting Assistants, the vacancies have been abolished as per the Government Instruction. Respondents assured that as and when vacancies occur, the applicant's case for regularisation as Lighting Assistant will be considered. No rejoinder has been filed challenging the stand of the Respondents as to non-availability of vacancies. Hence it is clear that there is no vacancy available

in the post of Lighting Assistant to consider the case of the Applicant for regularisation.

4. In view of the assurance of Respondents, in their counter that the applicant being at the top of the seniority list, he is eligible for regularisation as Lighting Assistant, applicant should not entertain any apprehension though in fact, he has not been in casual duty since 1995. The application is disposed of accordingly. No costs.

(Signature)
(SOMNATH SOM)
VICE-CHAIRMAN 10.98

14.10.98
(G. NARASIMHAM)
MEMBER (JUDICIAL)