

Order dated 24.9.2002

1. Before proceeding to undertake a selection process to engage a regular Driver (in the activities of Archaeological Survey of India) the Applicant was given casual engagements for some time and, after regular selection, the Respondent No.3 was given appointment. In this Original Application (under Section 19 of the A.T. Act, 1985) the Applicant has sought for direction to Respondents to allow him to continue, even on casual basis, as a Driver.
2. Respondents have filed their counter opposing the prayer of the Applicant.
3. After hearing the learned counsel for the Applicant (Mr.B.N.Nayak) and Mr.B.Dash, learned Addl. Standing Counsel for the Union of India appearing ~~for~~ on behalf of the Respondents, on merits and after perusing the materials available on record, I am convinced that the Applicant in the instant case does not have any enforceable right even to continue on casual basis; especially when he was engaged without coming through a process of selection. In this view of the matter, the prayer of the Applicant (as made in this O.A.) are hereby over-ruled and, as a consequence this Original Application is dismissed, however, without imposing any costs.

Send copies of this order to the parties.

J. Chaudhary
24/9/2002
MEMBER (JUDICIAL)