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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH
CUTTACK

O.A. 604/2001

Date of order: 13.04.2004

Present : Hon'ble Mr. Justice B. Panigrahi, Vice-Chairman.
Hon'ble Mr. S.K. Naik, Administrative Member.

S. Behera

- v e r s u s -

Union of India and Ors.

For the applicant : None.

For the respondents : Mr. A.K. Bose, counsel.

O R D E R

Per Justice B. Panigrahi, VC

In this application none has appeared on behalf of the applicant. However, Mr. A.K. Bose, Id. counsel appearing for the respondents is present.

2. In this case the applicant has claimed to have been engaged by the respondents as a substitute in the post of E.D.M.M. since 4.4.1984. He has further stated that he worked as substitute for 1444 days and 468 days from 1984. His prayer is for regular appointment against any available vacancy.

3. The respondents in their reply have not disputed that the applicant worked for some time as a substitute. They have further stated that the applicant had worked as a substitute in different spells from 1989 to 1999. He had applied for regular posting as EDMM. The respondents considered his case along with others for the said post, but he was not found suitable. Accordingly he was not given appointment.

Behera

4. In this background, the only question survives for our consideration is whether the applicant can claim to be regularised against the said post since he worked as a substitute. If a person for any length of time has worked as a substitute that by itself does not fetch any right for regularisation, vide UOI & Ors. Vs. Devika Guha & Ors., 2000(2) SCSLJ 132.

5. Accordingly, we do not find any merit in this application and, therefore, it is dismissed.

Member (A)

B. B. S. M.
Vice-Chairman.