

CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH

O.A.NO.643/2005

Dated the 12th July, 2007

CORAM:

HON'BLE MR.JUSTICE P.K.SINHA, VICE CHAIRMAN
HON'BLE MR.S.N.P.N.SINHA, MEMBER (A)

Jugal Kishore Singh S/o Shri Dhani Singh,
resident of village -Prem Bigha, P.O.Indrar,
District Aurangabad.

Applicant

By Advocate : Sri Pramod Mishra

vs.

1. The Union of India through the Secretary,
Department of Information and Broadcasting,
New Delhi.
 2. The Director General, All India Radio, New Delhi.
 3. The Chief Engineer(Civil-II), Civil Construction Wing
All India Radio, VI Floor, Suchana Bhawan,
Near O.G.U.Complex, New Delhi.
 4. The Executive Engineer(Civil) Civil Construction Wing,
All India Radio, Chhajjubagh, Patna.
- ... Respondents

By Advocate : Sri S.K.Tiwari

ORDER

JUSTICE P.K.SINHA, V.C.:

Both sides have been heard on admission. In the circumstances of the case, finding no merit in the application we are disposing of the application at this stage.

2. The applicant had appeared in the interview for ^{appointment} as Peon and vide Annexure -2 , dated 25.2.91 he was offered a temporary post of Peon, purely on ad-hoc

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basis in A.I.R,Patna, making it clear in the appointment letter itself that it was purely on ad-hoc basis and his services would be terminated any time without notice. The applicant having submitted joining report, vide Annexure-3, he was appointed as Peon on purely ad-hoc basis with effect from 11.03.91. This letter made it clear that the appointment was purely on ad-hoc basis and did not confer any right or privilege for continued appointment on regular basis or for seniority in the grade.

3. Thereafter, vide order at Annexure-4, dated 7.10.1991 the services of the applicant, who was appointed on ad-hoc basis in place of one Sri Lal Babu, Peon was ordered to be terminated with effect from 31.10.1991. Admittedly this order came into effect. Thereafter the applicant represented for his appointment as Peon vide representation dated 13.10.1992 (Annexure-5) and by reply of the same date, he was informed that one available vacancy was to be filled up by the candidate on compassionate ground, but his claim could continue and he could be absorbed in the vacancy occurring in the next few months.

4. Thereafter the applicant appears to be sitting over the matter and, ultimately, filed this Original Application dated 11.8.2005 seeking relief for issuance of order to the respondents to re-appoint him.

5. Obviously the appointment of the applicant was on ad-hoc basis, purely temporary and after working for a few months, his services were terminated. This happened about more than 15 years back. By working for sometime on purely ad-hoc basis, the applicant did not acquire any legal right to be re-appointed which could be enforced by this Tribunal. No doubt, he was given some hope by Annexure-6 dated 13.10.92 that he could be appointed in some post which was likely to fall vacant

within next few months. Obviously he was not so appointed. But on the basis of that letter also, he did not acquire any legal right to be so appointed.

6. When the applicant obviously has no legal right to seek re-appointment to a regular post which, too, without undergoing the process of selection to a post, this

Tribunal cannot issue an order in this regard in his favour.

7. This application, having no merit, is dismissed in limine.



(S.N.P.N.SINHA)
MEMBER(A)



(P.K.SINHA)
VICE CHAIRMAN

/njj/