

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.1054 / 1996.

Monday, this the 28th day of July, 1997.

Coram: Hon'ble Shri B.S.Hegde, Member(J),
Hon'ble Shri M.R.Kolhatkar, Member(A).

Kisan Lal Kayastha,
Chauhan Chawl, Room No.19,
Uttam Nagar,
Pune - 411 023.

... Applicant.

(By Advocate Shri S.P.Saxena)

V/s.

1. Union of India through
the Secretary, Ministry
of Information and Broadcasting,
Government of India,
New Delhi. - 110 011.

2. The Director,
National Film Archive of India,
Law College Road,
Pune - 411 004.

3. Shri B.R.Pawar,
L.D.C.,
National Film Archive of India,
Law College Road,
Pune - 411 004.

... Respondents.

(By Advocate Shri Wadhavkar for
Shri M.I.Sethna).

O R D E R (CRAL)

{Per Shri B.S.Hegde, Member(J)}

Heard Shri S.F.Saxena, counsel for the
applicant and Shri Wadhavkar, for Shri M.I.Sethna,
counsel for the Respondents.

2. The counsel for the applicant states that
the applicant was ^{initially} appointed ~~as~~ an L.D.C. on ad hoc
basis from 2.9.1993 to 31.10.1993 and subsequently
he was re-appointed practically every month
till March, 1994 for 25 or 30 days as L.D.C. on
ad hoc basis. The applicant's counsel further
states that after August, 1995 the Respondent No.2
has appointed on Shri B.R.Pawar as an ad-hoc LDC
and that Shri B.R.Pawar's appointment is in replace-
ment of the applicant was illegal and bad in law

...2.


besides being contrary to the law laid down by the Supreme Court in the case of State of Haryana V/s. Piara Singh.

2. The counsel for the respondents submitted that the applicant was appointed as L.D.C. on ad hoc basis from time to time on various occasions till the post was vacant as no regular incumbent was sponsored by S.S.C. Board. He further submitted, that the post of LDC against which the ad hoc appointment was made has been abolished in the 10% of staff strength in the economy drive launched by the Ministry during the year 1994. Hence he submitted that the application has no merit, the same be/ dismissed.

3. The application is accordingly devoid of merits, the same is dismissed at the admission stage itself.



(M.R. KOLHATKAR)
MEMBER (A)


(B.S. HEGDE)
MEMBER (J).

B.