

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
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Commercial Complex(BDA),  
Indiranagar,  
Bangalore - 560 038

Dated : 3/8/87.

REVIEW APPLICATION NO 91 /87( )

IN APPLICATION NO. 1871/86(F)

W.P. NO                     

Applicant

The Secy, Planning Commission & 2 Ors

V/s Smt S. Uma

To

1. The Secretary  
Planning Commission  
Yojana Bhavan  
Sansad Marg  
New Delhi - 110 001

2. The Regional Evaluation Officer  
3-6-291/1, Hyderguda  
Hyderabad - 29

3. The Project Evaluation Officer  
Office of the Project Evaluation  
1, Karnik Road  
Basavanagudi, Bangalore - 560 004

4. Shri M. Vasudeva Rao  
Central Govt. Stng Counsel  
High Court Buildings  
Bangalore - 560 001

5. Smt S. Uma  
1185, 5th Cross  
L.N.S. Colony  
Yeshwantpur  
Bangalore - 560 022

6. Shri M. Narayanaswamy  
Advocate  
844 (Upstairs)  
Vth Block, Rajajinagar  
Bangalore - 560 010

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STXX~~/

~~INTERIM ORDER~~ passed by this Tribunal in the above said Review  
application on 23-7-87.

RECEIVED  
14/8/87

Encl : as above

4/8/87

0/K  
Please  
4/8/87

B.V. Subrahmanyam  
DEPUTY REGISTRAR  
~~SECTION OFFICER~~  
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH BANGALORE

DATED THIS THE 23rd JULY, 1987

Present: Hon'ble Member Sri Ch. Ramakrishna Rao Member(J)  
Hon'ble Member Sri P. Srinivasan Member(A)

REVIEW APPLICATION NO. 91/87

1. The Govt. of India  
represented by its Secretary,  
Planning Commission,  
Yojana Bhavan,  
Sansad Marg, New Delhi-1.
2. The Regional Evaluation Officer,  
3-6-291/1 Hyderguda,  
Hyderabad - 29.
3. The Project Evaluation Officer,  
Office of the Project Evaluation,  
1, Karnik Road,  
Basavangudi, Bangalore - 4

Applicants

( Sri M. Vasudeva Rao,.... Advocate)

VS.

Smt. S. Uma,  
1185, 5th Cross,  
L.N. S. Colony,  
Yeshwantpur, Bangalore - 22

Respondent

(Sri M. Narayanaswamy,.... Advocate)

This application has come up for hearing before  
this Tribunal today, Hon'ble Member (J) made the  
following

O R D E R

The applicant in A.No. 1871/86 was working as  
Lower Division Clerk (LDC) in the office of Programme  
Evaluation Officer, Bangalore (Respondent3) on an  
ad hoc basis, having been recruited through Employment  
Exchange in 1983. In the order passed by this Tribunal  
on 26.2.1987 in the aforesaid application we directed



....2/-

the Respondents therein to sponsor the name of the applicant for appearing at the next examination to be held by the Staff Selection Commission (SSC) for regularising her status as LDC. The respondents in that application were also directed to take back the applicant into service pending her appearance in examination to be held by SSC and the announcement of results thereon.

2. Shri M. Vasudeva Rao, learned counsel for the applicants in the Review Application (RA), submits that the ad hoc appointment of the respondent herein could not be regularised because by the time the order of the Tribunal reached his clients the special qualifying examination for the ad hoc LDCs was already over and no further examination will be held hereafter by the SSC for the purpose. In view of this, he submits that liberty may be given to his clients to terminate the services of the respondent herein.

3. Shri M. Narayanaswamy, learned counsel for the respondent herein, submits that the direction given by this Tribunal in its order dated 26.2.1987 was necessitated because the applicants herein, under an erroneous impression of the correct date of birth of his client, withheld permission to her for appearing in the examination to be held by the SSC in 1986 and on account of the fault of the applicants herein his client should not suffer.

4. We have considered the rival contentions carefully. We are satisfied that the recruitment of the respondent herein as LDC having been done in

*C. J.*

conformity with the procedure in vogue at the relevant time and she having been wrongly denied the opportunity to appear for the examination held by SSC in 1986 for the purpose of regularisation, her career prospects should not be jeopardised on account of cessation of the examination by the SSC for the purpose of regularisation, over which she has no control.

5. We, therefore, direct the applicants in the RA to regularise the appointment of the respondent herein by placing her for the purpose of seniority below the last ad hoc LDC regularised through the SSC procedure.

6. The respondent in this application has filed an IA praying for backwages for the intervening period between the termination of her services and her reappointment in pursuance of this Tribunal's order dated 26.2.1987. We find no merit in this application, which we reject.

7. In the result the RA and IA are disposed of as indicated above. No order as to costs.



Member (J)



Member (A)

sb.

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Sd \_\_\_\_\_

Member (J)

True copy

Sd \_\_\_\_\_

Member (A)

*B. V. Venkatesh*  
DEPUTY REGISTRAR  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE  
3/8