

(2)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, "GULESTAN" BUILDING NO.6
PRESCOT ROAD; BOMBAY-1

O.A. No.482/90

Dr.(Mrs.) D A Lakshmi
Short Term Lady Medical Officer
Ordnance Factory Hospital
Ordnance Factory
Jawaharnagar
Bhandara

.. Applicant

V/s.

1. Government of India
Ministry of Defence
New Delhi through its
Secretary
2. The Director General
Ordnance Factories
11 Auckland Road
Calcutta
3. The General Manager
Ordnance Factory
Bhandara

.. Respondents

CORAM: Hon.Shri P S Chaudhuri, Member (A)
Hon.Shri T C Reddy, Member (J)

APPEARANCE

Mr. F J Isaac
(for Mr. R R Pillai)
Advocate
for applicant

Mr. Ramesh Darda
Counsel
for the respondents

JUDGMENT

(PER: P S Chaudhuri, Member(A))

DATED: 13-09-1991

This application under section 19 of the Administrative Tribunals Act, 1985 was filed on 22.6.1990. In it the applicant who is working as Short Term Lady Medical Officer in the Ordnance Factory, Bhandara, is seeking a direction that her continuance in this post for years together is illegal and improper and for a direction to the respondents to absorb her from the date of her appointment.

2. Some time in 1986 the third respondent sent a requisition to the Employment Exchange, Nagpur to sponsor qualified and eligible candidates for appointment to the post of Medical Officer.



The applicant was interviewed and appointed with effect from 21.4.1986. She worked continuously thereafter, except for small breaks. Being aggrieved at the failure of the respondents to give her permanent appointment she filed this application.

3. The respondents have opposed the application by filing their written statement. During the circuit sitting at Nagpur we have heard Mr. F J Isaac, holding the brief of Mr. R R Pillai, learned counsel for the applicant and Mr. Ramesh Darda, learned counsel for the respondents.

4. It is contended by the respondents that as far as the post against which the applicant is seeking appointment is concerned, recruitment rules have been made by the President in exercise of the powers conferred by the proviso to Article 309 of the Constitution and notified on 29.8.1977. In terms of these rules appointment to the post is to be made by UPSC. The applicant has been intimated that UPSC will be holding an examination on 15.1.1991 followed by an interview from 16 to 18-1-1991 to consider regularisation of Short Term Medical Officers and has been asked to appear in this examination. The respondents understand that she appeared for the examination. The respondents further contend that her services have been further extended upto 30.6.1991.

5. In view of these submissions by the respondents, we are of the opinion that this application no longer survives and can be disposed of with suitable liberty being given to the applicant.

.. 3/-

Am

9

-3-

6. We accordingly dispose of this application as no longer surviving. The applicant is at liberty to approach the Tribunal afresh if she continues to remain aggrieved even after the selection proceedings of January 1991 are finalised.

T. C. Reddy (T C Reddy)
Member (J)

P. S. Chaudhuri (P S Chaudhuri)
Member (A)

13-9-1991