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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, CAMP AT NAGPUR.

Original Application No.1080/93.

Shri N.M.Mohokar.

.... Applicant.

V/s.

Union of India & Ors.

.... Respondents.

Coram: Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman,
Hon'ble Shri M.R.Kolhatkar, Member(A).

Appearances:-

Applicant by Shri P.D.Meghe.
Respondents by Shri R.P.Darda.

Oral Judgment:-

(Per Shri M.S.Deshpande, Vice-Chairman) Dt. 3.1.1994

The applicant has not produced the appointment order to show what were the terms and conditions of his appointment. The Respondents reply shows that the applicant's appointment was made only for the strike period and that it was without reference to any Recruitment Committee. The appointment was therefore purely on a temporary basis. The appointment of Respondent No.4 according to the Respondents was after ~~after~~ approval by a selection committee. The applicant was not therefore similarly situated and he cannot make any grievance about the appointment of the Respondent No.4.

2. With regard to the applicant's grievance that he has not been paid the wages, the Respondents have pointed out that the applicant was paid according to the rates fixed by the Collector. The applicant has appended the certificates of the Doctors under whom he had worked, but that will only show the number of days he had worked with those Doctors. In the absence of a specific order that about the wages that

was to be paid to the applicant, it would not be possible to the applicant to contend that he should have been paid at a particular rate. It further appears from the letter at Annexure 'E' dt. 3.12.1992 written by the Dy. Director (Admn.) C.G.H.S. to the Additional Director, C.G.H.S. that the applicant should be paid for the work which he had put in. It will be open to the applicant to make a representation to the Additional Director, C.G.H.S. with regard to the amount which should be paid to him and the Additional Director shall have to decide the claim. We direct that this be done within a period of two months from the date of the receipt of a copy of this order.

3. With regard to the applicant's grievance that other persons are being appointed Shri Darda states that no such appointments have been made, but the applicant could be considered along with others if he satisfies the requirements and is found to be suitable and eligible by the appointing authority. In view of these statements no further directions need be made on this point.

4. The application is disposed of.

M.R.Kulhatkar

(M.R.KULHATKAR)
MEMBER (A)

M.S.Deshpande

(M.S.DESHPANDE)
VICE-CHAIRMAN

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