

(S)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A.437/94

Vasant K.Aher Rao

.. Applicant

-versus-

Administrator U.T. of
Daman & Diu and two Ors.

.. Respondents

Coram: Hon'ble Shri B.S.Hegde, Member(J)

Hon'ble Shri M.R.Kolhatkar, Member(A)

Appearances:

1. Applicant in person.
2. Mr.J.G.Sawant
Counsel for the
Respondents.

ORAL JUDGMENT:
(Per B.S.Hegde, Member(J)

Date: 26-8-94

Heard applicant in person and Mr.J.G.Sawant for the respondents. The applicant was ~~appointed~~ initially appointed as Superintendent of Fisheries in the U.T. of Daman & Diu w.e.f. 14-9-92. In the appointment letter it is clearly stated that the appointment is purely on an ad-hoc basis for a period of six months only and will not confer any title to permanent employment. The appointment will be terminated at any time by a month's notice given ^{by} either side. The recruitment rules for the post of Superintendent of Fisheries have been amended as on 6-10-93 which came into force on 7-10-93 by which it ^{is} provided ^{that} the post is to be filled up by promotion ^{or} transfer on deputation failing which by direct recruitment. ~~While~~ ^{the} The qualification prescribed is Masters degree in Zoology/Marine Biology or Bachelors degree in Fisheries Science from a recognised University

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or equivalent. Pursuant to the new recruitment rules the respondents have given an advertisement for filling up of the said post. We are told that the applicant has given his application which has been sent to UPSC for consideration. That application is still pending with the UPSC.

2. The applicant has filed an earlier O.A. 949/93 seeking the same prayer which has been disposed of by the Tribunal with a direction that the applicant may be considered for regular appointment ~~if~~ in accordance with rules if he is eligible. Applicant's main contention is that he should be confirmed regularly under the existing rules which we are of the view, is not tenable. If he ^{is} found suitable under the revised recruitment rules he can be considered by the competent authority. The contention of the applicant ~~is~~ that he should be regularised on the basis of earlier recruitment ^{rules} does not hold good. The matter is pending with the UPSC. We are of the view, that it is premature to consider the request of the applicant and give any direction to the respondents.

3. In the circumstance O.A. is dismissed at ^{the} admission stage as premature.

M.R. Kolhatkar

(M.R. KOLHATKAR)
Member(A)

B.S. Hegde

(B.S. HEGDE)
Member(J)