

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

O.A.No.746/92

Dt. of order: 17.8.1994

Radha Mohan Sharma

: Applicant

Vs.

Union of India & Ors. : Respondents

Mr.R.N.Mathur Brief-holder of : Counsel for applicant  
Mr.Alankar Khanna

Mr.V.S.Gurjar : Counsel for respondents

CORAM:

Hon'ble Mr.Justice D.L.Mehta, Vice Chairman

Hon'ble Mr.O.P.Sharma, Member(Adm.)

PER HON'BLE MR.JUSTICE D.L.MEHTA, VICE CHAIRMAN.

Heard the learned counsel for the parties. The applicant appeared in the selection test conducted by the Staff Selection Commission but he could not be appointed on regular basis as he was junior in the list of selection. However he was appointed on ad hoc basis and he is continuing since then. On 3.10.89 his case was recommended for regularisation. However he has not been regularised so far. The case of the applicant and the case of Dinesh Kumar Gupta & Ors. who were parties in Civil Appeal No. 1013 of 1988 arising out of SLP(C) No.5998/87 are the same. In the case of Dinesh Kumar Gupta & Ors. the Hon'ble Supreme Court has directed that their continuity in service and seniority shall be maintained and the service of the applicant should be regularised and they should be absorbed in the service. However their Lordships have further mentioned that this order should not be treated as a precedent. But the cases ~~are~~ being identical in nature we direct the respondents to regularise the services of the applicant and he should be absorbed in the service and his seniority shall not be disturbed. The O.A. is disposed of with no order as to costs.

(O.P.Sharma)  
Member(A)

(D.L.Mehta)  
Vice Chairman.