

(A)
(S)

CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

OA NO. 573/90

Date of order : 15.10.92

RADHEY SHYAM

... APPLICANT.

Mr.R.A.Katta

... Counsel for the applicant

Vs.

UNION OF INDIA & ORS.

... RESPONDENTS.

Mr.U.D.Sharma

... Counsel for the Respondents.

ORAM : HON'BLE MR.JUSTICE D.L.MEHTA, VICE CHAIRMAN
HON'BLE MR.B.B.MAHAJAN, ADMINISTRATIVE MEMBER.

PER HON'BLE MR.B.B.MAHAJAN, ADMINISTRATIVE MEMBER :

Radhey Shyam has filed this application U/S 19 of the Administrative Tribunals Act, 1985 against verbal termination of his services as part-time Waterman on selection of the regular candidates vide order dated 30.1.90 (Annexure A-4).

2. We have heard the learned counsel for the parties.

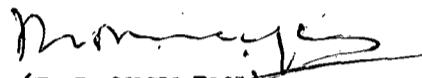
3. The services of the applicant have been terminated on selection of a regular incumbent after making selection from out of those whose names had been sponsored by the Employment Exchange vide impugned order dated 30.1.90 (Annexure A-4). The applicant was appointed as part-time Waterman vide order dated 23.5.88 (Annexure A-3), with the clear stipulation that his appointment is purely temporary and shall be ousted the moment the nominee of Employment Exchange is appointed without assigning any reason thereof. The case is covered by Section 2 (oo) (bb)

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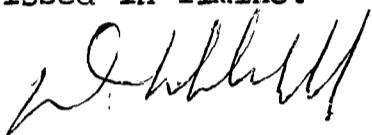
REB/AT

of I.D. Act, 1947 and it does not, therefore, amount to retrenchment. The fact the applicant was registered with the Employment Exchange before he was given the temporary employment is not relevant. His name would not have been considered in accordance with Government instructions unless it was sponsored by the Employment Exchange. No illegality in this case has been committed which may justify the interference by this Tribunal.

The O.A. is accordingly dismissed in limine.



(B.B. MAHAJAN)
Admn. Member



(D.L. MEHTA)
Vice Chairman

Shashi/