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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

O.A.NO. 251 of 1987

Date of Order: 02/03/1990

...

S.Venkat Rao

..Applicant

Versus

1. The Director General of Archaeology  
Archaeological Survey of India,  
Janapath Road, New Delhi.
2. Superintendent Archaeologist,  
Archaeological Survey of India,  
Hyderabad.

..Respondents

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For Applicant:

Mr.G.Anjappa, Advocate.

For Respondents:

Mr.E.Madan Mohan Rao, SC for Dept.

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C O R A M:

HON'BLE SHRI B.N.JAYASIMHA: VICE CHAIRMAN

HON'BLE SHRI D.SURYA RAO: MEMBER (JUDICIAL)

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(Judgment delivered by Hon'ble Shri B.N.Jayasimha, Vice  
Chairman)

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1. The applicant herein is an employee working in the office of the Superintendent Archaeologist, Archaeological Survey of India, Hyderabad. He has filed this application seeking a direction to quash the proceedings no. O.O.No. 2/11/87-ADM/1361, dated 25-3-87 whereby he has been reverted back as Attendant with effect from 31-3-1987. He further seeks a direction to the respondents to continue in him to work in the post of L.D.C.

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2. The applicant states that he was initially appointed as Exploration Attendant on 15-12-1964 on temporary basis and subsequently in the year 1967 his probation was declared and he was made quasi-permanent in a Class IV vacancy. After joining, he passed the Higher Secondary Examination in the year 1969 and also passed the Typewriting test and thus became eligible for appointment as LDC. He states that on 10-1-1985 he was first appointed as LDC on adhoc basis for 90 days and it was extended by the 2nd respondent from time to time till 25-3-1987. On 25-3-1987 by the impugned order No. 2/11/87-Admn1361 he was reverted back as Attendant. During the pendency of the application he was again promoted as LDC on 22-9-1988 and reverted in November, 1988. The claim of the applicant is that he is entitled for regular appointment as LDC and that the orders reverting him are illegal. Hence, he filed this application.

3. On behalf of the respondents a counter has been filed stating that 10% of the the vacancies of LDC are earmarked for absorption of Group D employees who have put in 5 years of service and <sup>posser</sup> the required qualifications. When-ever a vacancy occurs which is reserved for Group D employees a Selection test/examination is held. In so far as adhoc appointments are concerned it is stated that the applicant's appointment was made as a stop gap arrangement pending appointment by the Staff Selection Commission. This ~~fact~~ was stated in all the appointment orders given to the applicant. It is stated that the applicant had been reverted consequent on the appointment of candidates on regular basis after

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selection by the Selection Commission. For these reasons the respondents oppose this application.

4. We have the learned counsel for the applicant and Shri E.MadanMohan Rao, Addl.Standing Counsel for the Department.

5. From the facts narrated above, it is clear that the applicant was given an opportunity to compete ~~for~~ <sup>for</sup> the 10% quota where he did not qualify himself in the selection. His appointment as LDC on adhoc basis is also clearly against the vacancy for the direct recruits pending appointment of the candidates on regular basis. His adhoc appointment as LDC does not ~~therefore~~ confer any right to the applicant for regularisation, and there is no violation of any rules in the order of reversion. In these circumstances, we find no merit in the application and it is accordingly dismissed. No costs.

*B.N. Jayasimha*  
(B.N.JAYASIMHA)  
VICE CHAIRMAN

*D. Surya Rao*  
(D.SURYA RAO)  
MEMBER (JUDGE.)

(Dictated in open court)

Dt. 2nd March, 1990.

SQH\*

*[Signature]*  
P/DEPUTY

ID:..

1. The Director General of Archaeology, Archaeological Survey of India, Janapath road, New Delhi.
2. The Superintendent Archaeologist, Archaeological Survey of India, Hyderabad.
3. One copy to Mr.S.Anjappa, Advocate, H.No.4-1-1225/2, Hyderabad-500001.
4. One copy to Mr.E.Madan Mohan Rao.
5. One spare copy.