

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

JAIPUR

Date of order: 04.01.2002

OA No.190/1997

Rajendra Gupta s/o Shri Satyanarayan r/o 2-Kh-24,
Jawaharnagar, Jaipur at present employed on the post of
Pharmacist (on ad-hoc basis) in the office of Additional
Director, C.G.H.S. at Jaipur.

..Applicant

Versus

1. Union of India through the Director General,
Government Health Scheme, New Delhi.
2. The Additional Director, Central Govt. Health
Scheme, Hotel Radhakrishna, Station Road,
Jaipur

.. Respondents

Mr. Shiv Kumar, counsel for the applicant.

Mr. R.L. Agarwal, proxy counsel to Mr. Bhanwar Bagri,
counsel for the respondents

CORAM:

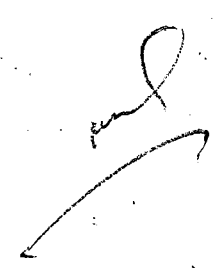
Hon'ble Mr. Justice O.P. Garg, Vice Chairman

Hon'ble Mr. Gopal Singh, Administrative Member

ORDER

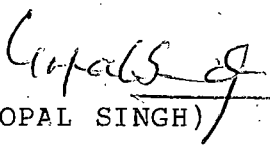
Per Hon'ble Mr. Justice O.P. Garg, Vice Chairman

The applicant is presently working on the post
of Pharmacist on ad-hoc basis in the Central Government
Health Scheme. He is seeking regularisation of his
services. Shri Shiv Kumar, learned counsel for the
applicant states that a vacancy in the general category
exists and the case of the applicant may now be considered
for regularisation. It was also stated that in the case of
one Sanjeev Garg, the benefit of regularisation was

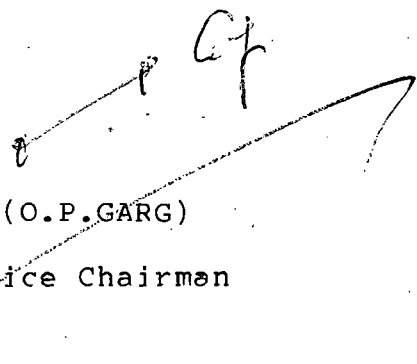


extended by this Tribunal. Shri R.L. Agarwal appearing as briefholder for Mr. Bhanwar Bagri, counsel for the respondents states that the applicant cannot claim parity with the case of Sanjeev Garg. Be that it may, for regularisation of service, various imponderables have to be considered by the departmental authorities, such as the availability of the vacancy and the funds, the workload and suitability of the applicant for the post. Therefore, this Tribunal is not in a position to pass an order straightaway for regularisation of the services of the applicant. We, therefore, leave the matter open for consideration and determination by the Department.

2. This OA is finally disposed of at this stage with the direction that the case of the applicant for regularisation on the post of Pharmacist shall be considered according to law against a vacancy, if available, within a period of three months from the date a certified copy of this order is produced before the competent authority. The decision taken in the matter shall be intimated to the applicant by registered post within one week thereafter.


(GOPAL SINGH)

Adm. Member


(O.P. GARG)

Vice Chairman