

DATE OF ORDER: 26.07.2001

OA 395/98

1. Krishna Pratap Singh son of Shri Balbir Singh aged about 27 years resident of D-172, Premnagar, Jhotwara, Jaipur and presently working as LDC in the respondent Corporation.
2. Krishna Gopal Ojha son of Shri P.N. Ojha aged about 22 years, C/o D.P. Ojha, 45/15/9, Mahandi Rata Lane, Swarnapath, Mansarowar, Jaipur.

... Applicants.

Versus

1. Union of India through the Director General, Employees State Insurance Corporation, Kotla Road, New Delhi.
2. The Employees State Insurance Corporation through its Regional Director, Regional Office, Fanchdeep Bhawan, Bhawani Singh Marg, Jaipur.

... Respondents.

Mr. Manish Bhandari, Counsel for the applicant.

Mr. U.D. Sharma, Counsel for the respondents.

CORAM

Hon'ble Mr. S.K. Agarwal, Member (Judicial)

ORDER

PER HON'BLE MR. S.K. AGARWAL, MEMBER (JUDICIAL)

In this OA filed u/s 19 of the Administrative Tribunal Act, applicants makes a prayer to direct the respondents to treat the services of the applicant as regular and to direct the respondents not to terminate the services of the applicant

...2/-

2. Reply/Additional reply/rejoinder was filed, which is on record.

3. The learned counsel for the respondents during the course of arguments admitted the fact that respondent's department is not going to terminate the services of the applicant and rather Department has extended the services of the applicants for a period of 90 days from time to time. The applicants have filed this application on some apprehension and same does not exist.

4. In the additional reply, filed by the respondents, it is made clear that period of service of the applicants is being extended from time to time and termination of the services of the applicants is mere apprehension. It has also been made clear in the reply that a requisition for filling up of approximately 32 posts of LDCs on regular basis has been sent to Headquarter office, New Delhi by the office of respondents. It will place a indent for filling up the vacancies which are available through-out India through Staff Selection Commission, which is a recruiting Agency and process of regular selection by Staff Selection Commission is likely to take some time. Therefore, appointments of applicants on ad-hoc basis are likely to continue till regularly selected persons join their duties.

5. In view of the reply filed by the respondent's department, apprehension for termination of services of the applicants becomes without any basis. The learned counsel for the applicant does not press the prayer for regularisation at this stage in view of additional reply filed by the respondents and prays that applicants may be allowed to raise the issue of regularisation at appropriate time, if it is required.

6. In view of the submissions made before me, this OA is disposed of as having become infructuous. The applicant shall be at liberty to take the issue of regularisation at appropriate time, if it is so advised. No order as to costs.


(S.K. AGARWAL)
MEMBER (J)