

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

O.A.No.418/98

Date of order: 4/9/2009

1. Brijendra Kumar, S/o Sh.Mahair Prasad, R/o No.18  
Shiv Colony, Tonk Road, Jaipur.
2. Rajesh Kumar Lakhera, S/o Sh.Satya Narain Lakhera,  
1311, Barkat Nagar, Tonk Phatak, Jaipur.
3. Km.Durga Kshetriya, D/o Shri Kshetriya, R/o D-241,  
Prem Nagar, Jhotwara, Jaipur.
4. Ramesh Lal, S/o Babu Lal Meghwal, R/o Berhlars, Teh.  
Pindhlara, Distt.Sirohi.

...Applicants.

Vs.

1. Union of India through Director General, Employees  
State Insurance Corpn, Kotla Road, New Delhi.
2. Employees State Insurance Corporation, Regional  
Office, Panchdeep Bhawan, Jaipur through its  
Regional Director.

...Respondents.

Mr.Manish Bhandari : Counsel for applicants

Mr.U.D. Sharma : for respondents.

CORAM:

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

Hon'ble Mr.S.A.T.Rizvi, Administrative Member.

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

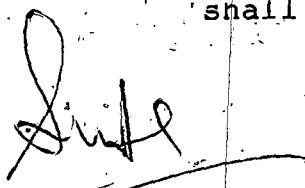
In this O.A filed under Sec.19 of the ATs Act, 1985, the applicants make a prayer to direct the respondents treating the services of the applicants regular and to restrain the respondents not to terminate the services of the applicants.

2. Reply/additional reply has been filed by the respondents which is on record.

3. In the additional reply it has been clearly stated that the services of the applicants being extended from time to time and termination of the services of the applicants is mere apprehension. On a perusal of additional reply it appears that vide order dated 14.11.2000, the services of S/Shri Brijendra Kumar and Rajesh Kumar Lahera, applicant No.1 & 2 have been extended for 90 days w.e.f. 20.10.2000. Similarly, vide order dated 1.9.2000, applicant No.4, Sh.Ramesh Lal has been extended for a further period of 90 days from 15.9.2000. It is further stated that requisition for filling-up of approximately 32 posts of LDCs had been sent to the Head-quarters by respondent No.2, who will place an indent for filling up the vacancies which are available through-out India, on the Staff Selection Commission which is the recruiting agency. Therefore, the appointment of the applicant on ad hoc basis are likely to continue till regularly selected persons join their duties.

4. The learned counsel for the respondents, during the course of arguments has admitted the fact that the respondents' department has not terminated the services of the applicants rather the department has extended the services of the applicants from time to time, therefore, the apprehension of termination of the services of the applicant is without any basis. The counsel for the applicant does not press for regularisation of the applicants at this stage in view of the additional reply filed and prays that the applicants may be allowed to raise the issue of regularisation in appropriate time, if it is required.

5. In view of the submissions made before us, this O.A is disposed of having become infructuous. The applicants shall be at liberty to take the issue of regularisation at

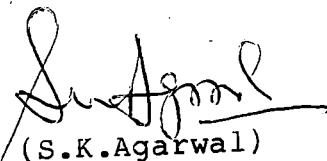


appropriate time, if it is so advised. No order as to costs.



(S.A.T. Rizvi)

Member (A)



(S.K. Agarwal)

Member (J)