

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR

Original Application No. 449 of 2004

Indore, this the 18th day of *August*, 2005

Hon'ble Shri M.P. Singh, Vice Chairman

Hon'ble Shri Madan Mohan, Judicial Member

1. Miss Roshni Manjhi, D/o. Shri Kaoushal Manjhi, aged 24 yrs., R/o. H. No. 923, Phootatal, Jabalpur (MP).
2. Mr. Sushil Pillai, S/o. Shri R.D. Pillai, Aged 27 yrs., R/o. H. No. 44, Cantt., Sadar, Jabalpur (MP).
3. Miss Sangeeta Nayak, D/o. late K.L. Nayak, Aged 24 yrs., R/o. 563, Street No. 11, Sadar, Jabalpur (MP).
4. Miss Meetu Tripathi, D/o. Shri M.M. Tripathi, Aged 24 yrs., R/o. 300, Vikas Nagar, Jabalpur (MP).
5. Mr. Amit Singh Thakur, S/o. Shri Ajit Singh Thakur, aged 27 yrs., R/o. 29, Indrapuri Colony, Narmada Road, Jabalpur (MP).
6. Mr. Vinod Nayak, S/o. late K.L. Nayak, Aged 27 yrs., R/o. 563, Street No. 11, Sadar, Jabalpur (MP).

.... Applicants

(By Advocate – None)

V e r s u s

1. Union of India,
Through the Secretary,
Ministry of Science & Technology,
Department of Survey of India, Technology Bhawan,
New Mahrohliroad, New Delhi.
2. The Surveyer General of India,
Hathi Varbala, Dehradon (UA).



3. Direct Central Circle,
Central Circle Office,
Vijay Nagar, Jabalpur (MP).

.... Respondents

(By Advocate – Shri S.P. Singh)

ORDER

By Madan Mohan, Judicial Member –

By filing this Original Application the applicants have claimed the following main reliefs :

“8.2 to direct the respondent to allow the applicant to work continue in service till they replaced by regularly selected persons,

8.3 to direct the respondent to released the salary of the applicants of the period from the applicants are restrained to work alongwith other consequential benefits with 30% interest per annum,

8.4 that though the termination order of the applicants have not been handed over to the applicants. It might be with the respondent, therefore the termination order of the applicants if any may be quashed.”

2. The brief facts of the case are that the applicants have acquired due qualification and they are eligible for any Government employment. They came to know by their computer centre that few posts of computer operator on contract basis are lying vacant with the Survey of India. They immediately applied for the post and after due interviews and evaluation of the merit they were selected to the said posts and their salary has been fixed at Rs. 3500/- per month. They joined from 1st February, 2003 and started working with the respondents. Although the appointment orders have not been given to the applicants but the respondents has issued a grading list showing the performance of the contract employees. The performance of the applicants was extremely well and satisfactory. Therefore, there was no occasion to snatch their job without any basis or reasons by the respondents. The respondents without giving any opportunity of hearing to the applicants have orally directed the applicants



to not come to work after 31st January, 2004 as there was no work remaining in the office of Survey of India. They were told that if further work will arise they will be called again on contract basis. The applicants highly objected to it. They demanded for appointment orders and termination orders, but it was denied by the respondents. Now the respondents are resorting the new set of contract employees for the contractual work in spite of the fact that the work of the applicants was very much effective. Hence, this Original Application is filed.

3. None is present for the applicants. Since it is a case of 2004, we dispose of this Original Application by invoking the provisions of Rule 15 of CAT (Procedure) Rules, 1987. Heard the learned counsel for the respondents.

4. It is argued on behalf of the respondents that the applicants were engaged by the respondents on contract basis and no employment was given to them in the institution. It was decided to induct the students from reputed computer institute on contract basis on monthly fixed amount at Jabalpur, Raipur and Indore. Accordingly, necessary letter was issued by the respondents to the computer centers to provide the students. In the said letter it was specifically mentioned that no job will be provided in this organization after completion of the project. The contract work was allotted upto September, 2003 which was extended upto 31.1.2004. The contract of the applicants was terminated with effect from 31.1.2004 vide letter dated 22.1.2004 (Annexure R-5). After completion of the project work the applicants were informed about their termination of the contract by letter dated 22.1.2004. Thus, the respondents have neither committed any irregularity or illegality in their action. Therefore, the Original Application deserves to be dismissed.

5. After hearing the learned counsel for the respondents and on careful perusal of the pleadings and records, we find that the applicants were called by the respondents for a particular job till completion of the project.



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5. After hearing the learned counsel for the respondents and on careful perusal of the pleadings and records, we find that the applicants were called by the respondents for a particular job till completion of the project.



This contract was allotted upto September, 2003 but it was extended by the respondents upto 31.1.2004. When the project was completed the contract of the applicants was terminated by the respondents with effect from 31.1.2004 and the applicants were informed by the letter dated 22.1.2004 (Annexure R-5) about termination of their contract. We find that the applicants could not have filed any letter of appointment issued by the respondents at any time and also they have not controverted the contentions raised by the respondents in their reply by filing any rejoinder. We have perused Annexure R-1, Annexure R-2 and Annexure R-5 and find that the action of the respondents seems to be perfectly legal and justified.

6. Considering all the facts and circumstances of the case, we are of the opinion that this Original Application is liable to be dismissed as having no merits. Accordingly, the same is dismissed. No costs.


(Madan Mohan)
Judicial Member


(M.P. Singh)
Vice Chairman

“SA”

पूठांकन से ओ/व्य. जबलपुर, दि.
प तिलिपि अ जो धित :-
(1) राखित, उक्त न्यायालय द्वारा प्रेषित, जबलपुर
(2) आवेदक श्री/श्रीमती/शु. के काउंसल
(3) प्रत्यक्षी श्री/श्रीमती/शु. के काउंसल
(4) न्यायालय, के.प्र.अ., जबलपुर न्यायापीठ
सूचना एवं आवश्यक कार्यवाही हेतु
उप रजिस्ट्रार

Jitendra Tiwari
DR BT
L.P. Singh DR BT

5.9.05
उप रजिस्ट्रार

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