

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 484 of 1997

Jabalpur, this the 27th day of March 2003.

Hon'ble Mr. Shanker Raju - Member (Judicial)
Hon'ble Mr. R.K. Upadhyaya - Member (Admnv.)

1. Shri Girendra Kumar Sahu (Driver)
S/o Shri Dayalu Ram Sahu,
Resident of Village -Gulloo,
Via-Arang, Distt. Raipur (M.P.)
(Driver in Regional Leprosy
Training and Research Institute
Raipur (M.P.))
2. Shravan Kumar Verma, Para Medical
Worker, Regional Leprosy Training
and Research Institute, Raipur (M.P.)
3. Ku. Anita Gon,
Para Medical Worker, Regional
Leprosy Training and Research
Institute, Raipur (MP), R/o
Lalpur, Raipur (M.P.)
4. Rajnish Kumar Awadhiya,
Computer Operator, Regional
Leprosy Training and Research
Institute, Raipur (M.P.)

APPLICANT

(By Advocate- Shri V. Tripathi)

VERSUS

1. Union of India
Through Secretary, Ministry of
Health and Family Welfare, New Delhi
2. The Director General Health Services,
Nirman Bhawan, New Delhi.
3. Principal Investigator,
Oplotrial Project,
Regional Leprosy Training and
Research Institute, Lalpur, Raipur (M.P.)-RESPONDENTS

(By Advocate Shri B. Dasilva)

ORDER (ORAL)

Mr. Shanker Raju, Member (J):

Applicants through this OA impugn respondents' termination order dated 28.2.2001 whereby on closure of the project their service has been

dispensed with. Applicants have sought quashment of this order with direction to regularise them.

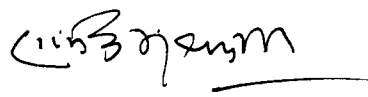
2. Applicants, four in number, in pursuance of a notification dated 10.8.94 for the posts of Driver, Para Medical Workers, Computer Operators appeared before the selection committee and were appointed on contract basis which is liable to be terminated at any time, without further notice. Their pay scales were also raised. They had been working in the Regional Leprosy Training and Research Institute (RLTRI) and continued till their services are terminated.


3. Learned counsel for applicants stated that as the Project has not come to an end and the aforesaid Project is being governed by Ministry of Health their services are bound to be restored back and be regularised as there are sanctioned posts in RLTRI.

4. On the other hand respondents' counsel Sh. B. Dasilva took a preliminary objection as to the jurisdiction of this court by contending that the aforesaid project has been created with the financial support of the WHO for the treatment of Leprosy. The same was started on 14.11.92 and was for a specific period of 8 years. Having come to an end in February 2001 applicants have no right to be further continued or their service extended as per the terms and conditions of the service. Aforesaid project has neither been created by the Government nor ~~Government~~ have control over services of applicants. As the work is ceased to exist their services have rightly been dispensed with and they cannot claim any right to be continued indefinitely.

5. We have carefully considered the rival contentions of the parties and perused the material on record. Assuming the jurisdiction of this court though the project is not funded by the WHO and the Government has control over it, keeping in view the decision of the Apex Court in State of Haryana v. ⁱⁿ Piara Singh, 1992 (2) ATC 403 wherein it has been held that the employees working on a project do not have any claim for regularisation and their continuance is co-terminus with the life of the Project.

6. As the project has been closed in February, 2001 we do not find any infirmity in the orders passed by the respondents dispensing with the services of applicants, as once the work is not available they cannot be utilised for the same. The OA is, therefore, found bereft of merit and is dismissed. No costs.


(R.K. Upadhyaya)
Member (A)


(Shanker Raju)
Member (J)

'San.'

पृष्ठान्त में जो/ज्या..... दिनांक, दि.....


(1) मा. न्यायाधीश, दिल्ली

(2) मा. न्यायाधीश, दिल्ली

(3) मा. न्यायाधीश, दिल्ली

(4) मा. न्यायाधीश, दिल्ली

S. Paul, Acker
Bolasina - set


1.4.03

Issued
on 1.4.03
BS