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**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR**

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ORDER SHEET

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**ORDERS OF THE TRIBUNAL**

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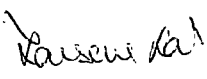
07.12.2007


Gajraj Singh Yadav vs. UOI

OA No.323/2006

Mr. Manish Sharma, proxy counsel to Mr. S.P.Sharma,  
counsel for the applicant  
None present for the respondents

At the request of the learned counsel for the  
applicant, let the matter be listed on 10.12.2007.

  
(TARSEM LAL)  
Admv. Member

  
(M.L. CHAUHAN)  
Judl. Member

R/

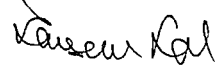
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10-12-2007

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Mr. Manish Sharma, Proxy counsel to  
Mr. S.P. Sharma, Counsel for the applicant  
Ms. Priyanka Pareek, Counsel for respondents

Heard the learned counsel for the parties  
For the reasons dictated separately, the OA is  
disposed of.

  
(TARSEM LAL)  
Admv. Member.  
R

  
(M.L. CHAUHAN)  
JUDL. MEMBER

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH

Jaipur, this the 10<sup>th</sup> day of December, 2007

ORIGINAL APPLICATION NO.323/2006

CORAM:

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER  
HON'BLE MR. TARSEM LAL, ADMINISTRATIVE MEMBER

Gajraj Singh Yadav  
s/o Shri Ramesh Chandra Yadav,  
aged about 30 years,  
r/o House No.E-528,  
Lal Kothi Yojna,  
Ramesh Marg,  
Jaipur.

.. Applicant

(By Advocate: Shri Manish Sharma, proxy counsel to Mr.  
S.P.Sharma)

Versus

1. Union of India  
through Director General,  
Ministry of Statistics and Programme  
Implementation,  
National Sample Survey Organisation (East),  
Block 6, Level 4-7,  
R.K.Puram, New Delhi.
2. Director,  
Northern Zone,  
National Sample Survey Organisation,  
Patel Marg,  
Mansarovar,  
Jaipur

.. Respondents

(By Advocate: Ms. Priyanka Pareek)

O R D E R (ORAL)

The applicant has filed this OA thereby praying for the following reliefs:-

"It is therefore prayed that this Hon'ble Tribunal may call for the entire record relating to the aforesaid case and by examining the same:-

- (i) quash and set aside the impugned order dated 05/07/2006 (Anx.A-1) by which the services of the applicant have been ordered to be terminated w.e.f. 31/08/2006;
- (ii) to direct the respondents to allow the applicant to continue him on the post of Driver without any hindrance as well as also regularize the services of the applicant on the post of Driver with all consequential benefits.
- (iii) Any other suitable direction, which the Hon'ble Tribunal deems fit and proper in the circumstances of the case mentioned herein above may be passed in favour of the humble applicant.
- (iv) The cost of this O.A. may also be granted to the applicant."

3. Briefly stated, facts of the case are that the applicant was initially engaged as Driver on contract basis against the posts created during 8<sup>th</sup> Five Year Plan under a Plan Scheme. The applicant has been working against one of such post w.e.f. 4<sup>th</sup> December, 2001. However, the said post was continued till 31<sup>st</sup> August, 2006. Consequently, the services of the applicant were terminated vide impugned order 5<sup>th</sup> July, 2006. It is against this order, the applicant has filed this OA thereby praying for the aforesaid reliefs.

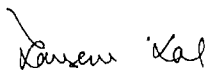
*by*

4. The respondents have filed reply. In the reply, the respondents have not disputed the aforesaid facts. It is however, stated that during the 10<sup>th</sup> Five Year Plan, the scheme was merged with the Plan Scheme 'Strengthening of Field Offices of Field Survey Capabilities of NSSO'. Sanction of the Government for continuation of the said Plan Scheme was conveyed from time to time upto August, 2006. Since sanction for further continuation of the said Plan Scheme was not received beyond 31.8.2006, services of those officials who were appointed on contract basis were ordered for termination and officials who were given promotion against the plan posts were ordered for reversion. It is further stated that services of the applicant who was given appointment on contract basis were also ordered to be terminated w.e.f. 31.8.2006 vide order dated 5.7.2006. The respondents have also stated that pursuant to further continuation of the plan posts as conveyed vide Ministry's order dated 31.8.2006 for another six months w.e.f. 1.9.2006, the contractual appointment of the applicant was also extended till 28.2.2007 vide order dated 4.9.2006.

5. In view of the subsequent development, we are of the view that the present OA does not survive now. However, it will be open for the applicant to agitate his grievances, if any, in case the posts are not

continued further, and the matter will be examined afresh in accordance with law.

6. With these observations, the OA is disposed of with no order as to costs.



(TARSEM LAL)

Admv. Member



(M.L. CHAUHAN)

Judl. Member

R/