

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O.A.NO.060/00195/2014 Date of order:- March 4, 2014.

Coram: **Hon'ble Mr. Sanjeev Kaushik, Member (J).**
Hon'ble Mr. Uday Kumar Varma, Member (A).

1. Amrit Kaur daughter of Sh. Jagdish Singh, working as Clerk, in Post Graduate Government College, Sector 46, Chandigarh.
2. Parveen Kumar son of Sh. Ajmer Singh, working as Lab. Attendant, in Post Graduate College, Sector 46, Chandigarh.
3. Raj Kumar son of Sh. Prem Dass, working as Clerk, Government College of Education, Sector 20, Chandigarh.
4. Raj Kumar son of Sh. Shish Pal, working as Clerk, Government College of Yoga Education & Health, Sector 23, Chandigarh.

.....Applicants

(By Advocate :Shri D.R.Sharma)

Versus

1. The Finance Secretary cum Secretary Education, Chandigarh Administration, U.T. Secretariat, Sector 9, Chandigarh.
2. The Director Higher Education, Education Department, Chandigarh Administration, U.T. Secretariat, Sector 9, Chandigarh.
3. The Principal, Post Graduate Government College, Sector 46, Chandigarh.
4. The Principal, Govt. College of Education, Sector 20, Chandigarh.

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...Respondents

(By Advocate : Mr. Aseem Rai).

O R D E R(Oral).

Hon'ble Mr. Sanjeev Kaushik, Member (J):

Heard Shri D.R.Sharma, learned counsel for the applicants, who, inter-alia, contends that the applicants were appointed on contract basis on different posts with respondents no.3 & 4. He states that applicant no.1 was relieved from her duties on 3.3.2014 (AN) on completion of her contract period. He further submits that in view of various judicial pronouncements of this Tribunal as well as of jurisdictional High Court, the contractual employees are allowed to continue till the regularly selected candidate join. He placed reliance on the orders passed in the cases of Ramphal versus Chandigarh Administration & Ors. (O.A.No.538/CH/2010) decided on 17.2.2011, Vandana Jain & Ors. Vs. Union of India & Ors. (O.A.No.33/CH/2011) decided on 313.2011 & Sanjay Kumar & Ors. Vs. Chandigarh Administration & Ors. (O.A.No.609/CH/2010) decided on 10.2.2011.

The learned counsel for the applicants prays that the applicants may be allowed to continue till the posts are filled up on

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regular basis. He has also placed on record a copy of order dated 3.3.14 whereby the services of applicant no.1 namely Mrs. Amrit Kaur has been dispensed with.

Issue notice to the respondents.

Shri Aseem Rai, Advocate, accepts notice on behalf of the respondents. He also endorses the submission made by the learned counsel for the applicants. He further submits that as a matter of principle, all those incumbents who were appointed on contract basis will allow to continue till regular incumbents join.

Shri Sharma, learned counsel for the applicants states that this OA may be disposed of in view of the statement made by the learned counsel for the respondents.

Considering the consensual agreement between the parties, this OA is disposed of in limine, with a direction to the respondents not to relieve the applicants till a regularly selected candidate join in their place.

Dasti.

(UDAY KUMAR VARMA)
MEMBER (A).

(SANJEEV KAUSHIK)
MEMBER (J)

Dated:- March 4, 2014.

Kks