

Central Administrative Tribunal
Principal Bench
New Delhi

O.A.No.785/2013

Order Reserved on: 05.02.2016
Order pronounced on 16.02.2016

Hon'ble Shri V. Ajay Kumar, Member (J)
Hon'ble Shri Shekhar Agarwal, Member (A)

Sonu Kumar
S/o Shri Vijender Singh
R/o 12/478, Mandoli, Near DTC Depot, Delhi .. Applicant

(By Advocate: Mr. Sanjay Kumar)

Versus

1. Municipal Corporation of Delhi
Through Commissioner (North Zone)
2. The Additional Commissioner (Health)
North Municipal Corporation of Delhi
Civic Center Minto Road, Delhi-01 (North Zone).
3. Deputy Health Officer
Municipal Corporation of Delhi
Civil Line Zone (North Zone)
Delhi 110054. ... Respondents

(By Advocate: Mr. R.V.Sinha for Mr. R.N.Singh)

ORDER

By V. Ajay Kumar, Member (J):

The brief facts which are requisite to be stated in the OA are that
the applicant was engaged as Domestic Breeding Checker

(DBC)/Supervisor/Beldar on contract basis in the respondent-Municipal Corporation of Delhi vide Office Order dated 18.10.2006 (Annexure A3) on a consolidated monthly emoluments of Rs.3000/-. The said Office Order further states that the post of DBC is purely temporary and services of the applicant shall be terminated after 30.11.2006. However, the applicant has been continued in service till he was terminated vide Office Order dated 23.11.2012 (Annexure A2). Against the said termination order the applicant preferred Annexure A1 representation dated 27.12.2012 and the respondents have not passed any orders thereon and, hence, the OA.

2. The applicant mainly challenged the impugned termination order on the ground of violation of principles of natural justice inasmuch as his services were terminated without any reason, without issuing any notice and also without following the due procedure of law on the subject.

3. The respondents vide their counter, while opposing the OA averments, mainly contend that the engagement of the applicant was contractual and for a limited period and hence, he cannot question the termination order which was passed on completion of the term of his contract. Further, it is the stand of the respondents that the applicant has no statutory right either for continuation on contract basis or for seeking regularization of his services.

4. Heard both sides and perused the pleadings on record.

5. The applicant failed to show whether any process of selection was undertaken at the time of his engagement; whether his engagement was against any sanctioned and existing vacancy of DBC; whether any of his juniors are being continued on contract basis and whether any of the terms of the contract were violated by the respondents.

6. In the circumstances and in view of the settled principles of law on the issue of contract appointments, we do not find any merit in the OA and accordingly, the same is dismissed. No order as to costs.

(Shekhar Agarwal)
Member (A)

(V. Ajay Kumar)
Member (J)

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