

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**MUMBAI BENCH, MUMBAI**

**ORIGINAL APPLICATION No.452/2018**

**Date of Decision: 4<sup>th</sup> July, 2018**

**CORAM: HON'BLE SHRI R. VIJAYKUMAR, MEMBER (A)**

Dr. Satish Priyadarshi  
 Assistant Professor (STC)  
 Gujarati Dept. Govt. Collage,  
 Daman, Daman - 396 210.                      **... Applicant**  
**(Shri Suresh Mane proxy counsel for Shri**  
**Dinesh Rajbhar )**

**VERSUS**

1. Union of India -through  
 The Administrator, Union Territory  
 Daman & Diu, Secretariat Fort,  
 Moti Daman - 396 210.
2. The Secretary - Higher Education  
 UT Admn. Of Daman & Diu  
 Secretariat Building, Fort,  
 Moti Daman - 396 210.
3. The Director, Higher Education  
 UT Admn. Of Daman & Diu  
 Secretariat Building, Fort,  
 Moti Daman - 396 210.
4. Principal, Government College,  
 Daman Kunta Road, Nani Daman,  
 Union Territory  
 - 396 210                                      **... Respondents**

**ORDER (ORAL)**

**PER: SHRI R. VIJAYKUMAR, MEMBER (A)**

When the case is called out for  
 Admission, heard Shri Suresh Mane, learned  
 proxy counsel for Shri Dinesh Rajbhar,  
 learned Advocate for the applicant. I have

carefully perused the case record.

**2.** The applicant was interviewed based on an Advertisement issued by the Directorate of Education, UT Administration of Daman & Diu in Ref.No.GC/DMN/Application/2014-15/104 dt. 14.01.2015 inviting applications from eligible candidates for 'walk-in interview' *inter alia*, for one post of Assistant Professor Gujarati on short term contract period of six months. The applicant was appointed and order for the short term contractual appointment was issued in No.GC/EST/STC-LECT/2014-15/1438 dated 03.03.2015 and he joined thereafter. Now the applicant objects to the Advertisement issued by the Union Public Service Commission at the behest of the Administration in Advertisement No.18/2016 for two posts of Assistant Professors in Gujarati. The applicant applied for this post and was called for interview but due to some mishap, he was not able to attend the interview. The relief sought now is to set aside the selection which has subsequently taken place according to learned counsel. Further, he has been discontinued in

service by order No.GC/EST/STC-ASST/2018-19/295 dated 29.06.2018 since on the basis that the UPSC selected candidate has joined and the applicant's contractual period expired on 25.06.2018. It is clear from the facts of the case that the applicant was appointed on short term basis by walk-in interview without following the requisite selection process and he has spent three years on the job by continuously renewed contracts. There is clearly no vested right arising from such an appointment and service. The UPSC appointment is for a regular posting against the regular post and therefore, the action of the Administration in the termination of his appointment conforms to the decision of the Hon'ble Apex Court in Umadevi.

3. In such circumstances, this OA is dismissed in *limine* as lacking merits. No costs.

ma.

**(R. Vijaykumar)**  
**Member (A)**