

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/01076/2019
Chandigarh, this the 16th day of October, 2019

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CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MS. NITA CHOWDHURY, MEMBER (A)

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1. Gurleen Kaur Puri aged about 29 years, daughter of Shri Jitender Singh Puri, Programme Coordinator, Nehru Yuva Kendra, Chandigarh, Pin- 160023 and resident of # 3404, Sector 23-D, Chandigarh – 160012 (UT Chandigarh).
2. Sipika Rani aged about 28 years, daughter of Shri Ramesh Kumar, Programme Coordinator, Nehru Yuva Kendra, Faridkot Pin-151203, District Faridkot (Punjab)
3. Sandeep Kumar aged about 29 years son of Shri Kamal Kishore, Programme- 144008 (Punjab) and resident of # NN 445 Gopal, Near Pili Kothi, Jalandhar, Pin – 144001 (Punjab).
4. Sheenu Bala aged about 29 years, daughter of Shri Pawan Kumar, Programme Coordinator, Nehru Yuva Kendra, Fatehgarh Sahib Pin- 140406 (Punjab) and resident of # 2203, Lakh Wali Bast, Near Durga Mandir, Patran, Pin – 147105, District Patiala (Punjab).
5. Swaranjeet Singh Sidhu aged about 28 years son of Shri Gurmeet Singh Sidhu, Programme Coordinator, Nehru Yuva Kendra, Sri Muktsar Sahib Pin-152026 (Punjab) and resident of #7664, Park Roada, Shaheed Bhagat Singh Nagar, Gidderbaha, Pin 152101 (Punjab) District Sri Muktsar Sahib (Punjab).
6. Tajeshwar Rao Singh Rathore aged about 30 years, son of Shri Uttamjot Singh Rathore, Programme Coordinator, Nehru Yuva Kendra, Nawa Shahar (SBS Nagar) Pin – 144514 (Punjab) and resident of I-C Ranjeet Nagar, tiwana Chowk, near Sachdeva Hospital, Patiala, Pin – 147001 (Punjab).
7. Manish Kumar aged about 28 years, son of Shri Subhash Chand, Programme Coordinator, Nehru Yuva Kednra, Barnala, Pin – 148101.(Punjab) and resident of H. NO. 32, village Rurki, Post Office Dheen, Pin-133202, Tehsil Barara, District Ambala (Haryana)
8. Anamika, aged about 31 years, daughter of Shri Harbhajan Lal, Programme Coordinator, Nehru Kendra, Kaithal, Pin – 136027 (Punjab) and resident of # 10, Street No. 4, opposie MITC Colony, Khairpur, Sirsa Pin – 125055 (Haryana).
9. Ankush Sharma aged about 30 years, son of Shri Desh Raj Sharma, Programme Coordinator, Nehru Yuva Kendra, Una, Pin – 174303, (H.P.) and resident of v & PO Jansoooh, Tehsil Nadaun, District Hamirpur, Pin – 177041 (H.P.)
10. Monisha Sharma aged about 30 years, daughter of Shri Shamsher Singh, Programme Coordinator, Nehru Yuva Kendra, Bilaspur Pin – 495001 (H.P.) and resident of village Chichoga, Post Office Manali, Pin – 175131 Tehsil Manali, District Kullu (H.P.)
11. Lalit Kumar aged about 30 years, son of Shri Hari Om Sharma, Programme Coordinator, Nehru Yuva Kendra, Ambala, Pin – 133001. (Haryana) and resident of # 12-A, New Dayal Bagh,

near R.K. Furniture House, Babyal road, Post Office Babyal, Pin – 133005 Ambala Cantt (Haryana).

12. Gaurav Bhargava aged abou 28 years, son of Shri Vinod Bhargava, Programme Coordinator, Nehru Yuva Kendra, Kurukshetra, Pin – 136118 (Haryana) and resident of H. NO. 16, Sector 5, Urban Estate, Kurukshetra, Pin – 136118 (Haryana).
13. Amanpreet Kaur aged about 30 years, daughter of Shri Paramjit Singh, Programme Coordinator, Nehru Yuva Kendra, Kapurthala Pin – 144601 (Punjab), resident of V & PO, Khizrabad, District Mohali, Pin – 104109 (Punjab).
14. Deepak Kumar aged about 30 years, son of Shri Ramesh Kumar, Programme Coordinator, Nehru Yuva Kendra, Amritsar, Pin – 143001 (Punjab) and resident of Village Rewari Khera, Tehsil Bahadurgarh, District Jhajjar, Pin – 124504 (Haryana).
15. Atinder Pal Singh, aged about 30 years son of Shri Hardev Singh, Pin-135001 (Haryana) and resident of Village and Post Office Mohra Pin 133004, District Ambala (Haryana).
16. Zia Ur-Rehman, aged about 29 years son of Mohd. Lateief, Programme Coordinator, Nehru Yuva Kendra, Poonch Pin-185101 (Jammu and Kashmir) and resident of village, Chhunjan Tehsil, Mendhar, Pin – 185111, District Poonch, (Jammu and Kashmir)

All applicants hold Group A post.

....Applicants

(Present: Mr. Harinder Sharma, Advocate)

Versus

1. Union of India, Ministry of Youth Affairs and Sports (Youth Affairs Wing), Shastri Bhawan, C-Wing, New Delhi, Pin Code – 110001.
2. Chairman, Board of Governing Body Nehru Yuva Kendra Sangathan, ground Floor, 4 Jeevan Deep Building, Parliament Street, New Delhi – 110001.
3. Nehru Yuva Kendra Sangathan through its Director General, Ground Floor, 4, Jeevan Deep Building, Parliament Street, New Delhi-110001.
4. Broadcast Engineering Consultants India Ltd. (BECIL) through its Managing Director, 14-B, I.P. Estate, Ring Road, New Delhi – 110002.
5. Assistant General Manager (HR), Broadcast Engineering Consultants India Ltd (BECIL), C-56, A-17, Sector 62, Noida, Pin – 201301 (U.P.).
6. Zonal Director, Yuva Kendra Sangathan, Punjab and Chandigarh, Jwalamukhi Hostel, Gate no. 1, Punjab Engineering College, Sector 12, Chandigarh, Pin Code – 160012.

7. Zonal Director, Nehru Yuva Kendra Sangathan, Haryana, Jwalamukhi Hostel, Gate No. 1, Punjab Engineering College, Sector 12, Chandigarh, Pin Code 160012.
8. Zonal Director, Nehru Yuva Kendra Sangathan, Himachal Pradesh Zone, Chander Building, Toto, Shimla, Pin – 171011 (HP).
9. Zonal Director, Nehru Yuva Kendra Sangathan, Jammu and Kashmir Zone, 39, A/C Gandhi Nagar, Jammu (J & K) Pin – 180004.

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Respondents

(Present: Mr. Sanjay Goyal, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. MA No. 060/01649/2019 is allowed and the applicants are permitted to join together to file this single O.A.
2. Applicants have challenged the notice dated 19.08.2019 (Annexure A-1) whereby the respondents have informed them that their services as Programme Coordinator with BECIL shall be discontinued w.e.f. 01.11.2019.
3. Learned counsel submitted that pursuant to advertisement dated 09.03.2018 and 09.04.2018 (Annexure A-2 colly), applicants applied and after adjudging their suitability, they were offered appointment. Though the advertisement indicates that the appointment would be for a period of three years but when it was pointed out in the offer of appointment that the appointment would be upto 31.03.2019 or till the project is completed, whichever is earlier, the applicants made a representation that they be allowed to continue for three years from the date of appointment. It is contended that instead of deciding the claim of the applicants, the respondents have issued the impugned order dated 19.08.2019 (Annexure A-1) informing them that their services shall be

discontinued w.e.f. 01.11.2019. He prayed that the impugned order be set aside and the respondents be directed to allow the applicants to continue for three years, and if they are appointed for a specified project, then till the completion of that project.

4. Issue notice to the respondents.

5. At this stage, Mr. Sanjay Goyal, Sr. CGSC, appears and accepts notice.

6. Considering the fact that the representation filed by the applicants to allow them to continue for three years or till the project is completed, is still pending, we deem it appropriate to dispose of the O.A., in limine, with a direction to the respondents to consider the claim of the applicants in accordance with the law. It is further directed that if they are appointed for a specified project they be allowed to continue till the completion of that particular project, otherwise a reasoned and speaking order be passed within a period of 15 days from the date of receipt of a copy of this order. A copy thereof be duly communicated to the applicants also.

7. Needless to mention that the disposal of the O.A. shall not be construed as expression of any opinion on the merit of the case. No costs.

(NITA CHOWDHURY)
MEMBER (A)

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(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 16.10.2019