

(2014) 11 SHI CK 0093
In the High Court Of Himachal Pradesh
Case No : CWP No. 8134/2014

Central Council for Research in Homeopathy	APPELLANT
Vs	
Rita Joshi	RESPONDENT

Date of Decision : 05-11-2014

Acts Referred:

Citation : (2014) 11 SHI CK 0093

Hon'ble Judges : Sureshwar Thakur, J;Rajiv Sharma, J

Bench : Division Bench

Advocate : Sunil Narula and Keshav Kataria, Advocate for the Appellant

Judgement

Rajiv Sharma, J.—This petition is instituted against the order passed by learned Central Administrative Tribunal Chandigarh Bench (Circuit Bench at Shimla) dated 27.9.2012.

2. Facts necessary for the adjudication of the present petition are that respondent No. 1 was engaged as Gynae Attendant/Aya in the Regional Research Institute of Homeopathy, Department of Ayush, Ministry of Health & Family Welfare on 1.9.2006, after completing all the codal formalities. She was initially paid a consolidated salary of Rs. 2,000/-, which was subsequently enhanced to Rs. 3,000/-. Respondent was terminated on 1.12.2011. She assailed her termination by filing a petition before the Central Administrative Tribunal, Chandigarh Bench. It was allowed by the Central Administrative Tribunal on 27.9.2012.

3. According to respondent No. 1, her services were terminated by an oral order. According to the reply filed by the petitioner, respondent was appointed purely as a stop gap arrangement.

4. We have heard the learned counsel for the parties and also gone through the order passed by the Central Administrative Tribunal.

5. Respondent No. 1 was engaged after seeking necessary permission on

1.9.2006. It can not be said that respondent was appointed through placement agency. Respondent was appointed on 1.9.2006 and correspondence with the so called placement agency is after this date. Petitioner has not placed any tangible evidence on record even to establish that Star Security Service was registered under mandatory provisions of Contract Labour (Regular and Abolition) Act, 1970. Respondent No. 1 was discharging duties in connection with the affairs of Central Council for Research in Homoeopathy under the control of Government of India and the Central Administrative Tribunal had the jurisdiction to adjudicate upon a service matter. There is neither any illegality nor any perversity in the order passed by the Central Administrative Tribunal.

6. Accordingly, there is no merit in the present petition and the same is dismissed. Pending applications, if any, are also disposed of.