

31

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 1220/1999

New Delhi, this the 2nd day of August, 2000

Hon'ble Mr. Justice V. Rajagopala Reddy, VC (J)
Hon'ble Sh. Govindan S. Tampi, Member (A)

Mohd. Yaseen Faruqui s/o Shri Md. Faruqui
by Caste Muslim r/o A-70, Kabir Nagar,
Soorsagar Road, Jodhpur. *Applicant*
(By Advocate: Sh. V.P. Sharma, proxy for
Sh. Yogesh Sharma)

VERSUS

1. Union of India through Secretary to Ministry of Personnel, Government of India, New Delhi.
2. Chairman, Central Administrative Tribunal, Copernicus Marg, Faridkot House, New Delhi.
3. Vice-Chairman, Central Administrative Tribunal, 69 Polo No.1, Paota, Jodhpur. *Respondents.*
(By Advocate: Sh. N.S. Mehta)

ORDER (ORAL)

By Hon'ble Mr. Justice V. Rajagopala Reddy, VC (J)

Heard both the learned counsel for the parties. This OA pertains to the selection and appointment of LDC (Lower Division Clerck) in the Jodhpur Bench of the Central Administrative Tribunal. The applicant was one of the candidates sponsored by Employment Exchange. The applicant was called for interview and typing test which were held on 16-05-1990. According to the applicant, he was found successful and was placed in the panel, however, he was not selected to the post. The grievance of the applicant is that the respondents should have exhausted all the candidates in the panel. As the applicant was in the panel, he should have been appointed. In the counter, it is stated that the interviews and the examination were held for 9 vacancies. The 9 vacancies were filled up by the direct recruitment as under:

CAB

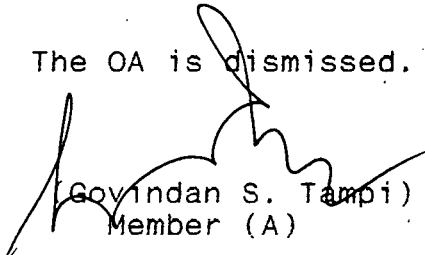
32

[2]

- i) 4 candidates from general category,
- ii) 3 candidates from departmental category,
- iii) 1 from Schedule Caste category; and
- iv) 1 from Schedule Tribe category.

2. We have considered the rival contentions. We do not find any merit in this OA. As the applicant was not one of the 9 candidates found in merit, he could not be appointed. The applicant has no right for appointment. His right was only by consideration for appointment. We have also perused the DPC minutes produced by learned counsel for respondents and we are convinced that the appointments have been made properly. Since, the applicant has been considered, the applicant cannot have any grievance for not being appointed.

The OA is dismissed. No costs.


(Govindan S. Tampi)
Member (A)


(V. Rajagopala Reddy)
Vice-Chairman (J)

/vikas/