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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. No.2563 of 1999

Dated this 2nd day of December, 1999

HON'BLE MR. JUSTICE ASHOK AGARWAL, CHAIRMAN  
HON'BLE MRS. SHANTA SHASTRY, MEMBER (A)

Bhani Sahai  
S/o Shri Lal Ji  
R/o Gaur Bhawan  
Gali No.40, Sadh Nagar  
Palam Colony  
New Delhi.

... Applicant

(By Advocate: Shri M.K. Gaur)

Versus

1. Union of India,  
Through secretary (Posts)  
Department of Posts  
Ministry of Communications  
Dak Bhawan, Parliament Street  
New Delhi.
2. The Chief Post Master General  
Haryana Circle  
Ambala.
3. Sr. Supdt. Post Offices  
Gurgaon Division  
Gurgaon.
4. The Ram Singh  
Sh. Prabhu Dayal  
ED Branch Postmaster  
Dongra Ahir  
Distt. Mahendergarh.

... Respondents

O R D E R (Oral)

Mr. Justice Ashok Agarwal :

Applicant can at best claim that his candidature be considered for employment. He cannot claim employment. Though the applicant had been placed at serial No.1 in the panel of candidates considered for appointment in August 1998, no appointments were made. Whether to make an appointment or not, is entirely the function of the respondents. No orders can be passed directing

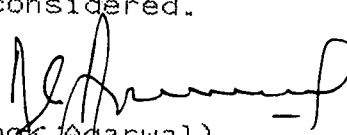
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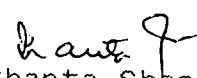
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appointments to be made out of the panel which was prepared in August 1998. The moment a fresh proposal for selection is initiated the natural consequence is that the earlier panel stands cancelled. In our view, applicant cannot claim a direction to appoint him on the basis of his placement in the panel prepared in August 1998. Making appointments is at the discretion of respondents. No direction in this behalf can be issued.

2. The present application, in the circumstances, we find, is devoid of merit. The same is accordingly summarily dismissed.

3. It however goes without saying that in case applicant is eligible and he applies for being selected under the new process initiated, his candidature will be considered.

  
(Ashok Agarwal)  
Chairman

  
(Mrs. Shanta Shastri)  
Member(A)

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