

(9)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

OA NO. 641/99

New Delhi, this the 21~~st~~<sup>st</sup> day of July, 2000

HON'BLE MR. JUSTICE V. RAJAGOPALA REDDY, VICE CHAIRMAN (J)  
HON'BLE MRS. SHANTA SHASTRY, MEMBER (A)

In the matter of:

Sh. Udhav Shah son of  
Sh. Rameshwar Shah,  
R/o A-29, Mahavir Enclave,  
Palam, New Delhi. .... Applicant  
By Advocate: Sh. T.C. Aggarwal)

Vs.

Union of India through  
1. Director General,  
Doordarshan, Mandi House,  
New Delhi-110001.  
  
2. Director, Engineering,  
T.V. Tower, Pitampura,  
(Doordarshan),  
New Delhi-110034. .... Respondents  
(BY Advocate: Sh. Rajinder Nischal)

ORDER (ORAL)

By Justice V. Rajagopala Reddy, VC (J)

The applicant is a Safaiwala. As prescribed in the rules 50% of posts are to be filled up by direct recruitment and 50% by promotion. The applicant <sup>was considered</sup> ~~is eligible~~ for promotion by a Selection Committee, and he was No. 3 in the Select Committee, <sup>though</sup> ~~but~~ his grievance is that he was not appointed.

2. It is the case of the respondent that the Selection Committee had considered the applicant for promotion to the post of Helper but he could not make the grade. The allegation that he was third in the select list was not correct. Hence he was not appointed. On the last occasion when the case came up for hearing, after hearing counsel for respondents we directed the respondents to produce the relevant records in this regard. However, those records are not produced.

*[Signature]*

3. Learned counsel for applicant submits that he will be satisfied with the direction that if the applicant is third in the panel for the post of Helper in the year 1999, the respondents to appoint him as Helper.

4. We, therefore, dispose of the OA with the direction to the respondents to appoint the applicant if he was No.3 in the select list for direct recruitment to the post of Helper,

*Subject to availability of vacancies.*

With this direction the OA is disposed of. No costs.

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( SHANTA SHASTRY )  
MEMBER (A)

*V. Rajagopala Reddy*

( V. RAJAGOPALA REDDY )  
VICE CHAIRMAN (J)

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