

Central Administrative Tribunal^{to}
Principal Bench.

O.A. No. 967 of 1999

9

New Delhi. dated this the 21st December, 2000

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Smt. Seema Sharma,
W/o Shri G.P. Sharma,
R/o Sector 6/93, P&T Colony,
P.K. Puram,
New Delhi-110022.

.. Applicant

(By Advocate: Shri Surinder Singh)

Versus

1. Director General,
Council Scientific &
Industrial Research,
Anusandhan Bhawan. Rafi Marg.
New Delhi-110001.

2 The Director,
Indian Institute of Petroleum,
(CSTR),
P.O. IIP, Mohkamur.
Dehradun-248005.

.. Respondents

(By Advocate: Shri V.K. Rao)

ORDER

MR. S.R. ADIGE, VC (A)

Applicant seeks a direction for restoration of her appointment letter dated 1.7.98 (Annexure A/5) appointing her as Technician (Computer Operator Grade II) in Indian Institute of Petroleum, Dehradun (IIP) in the scale of Rs.3050-4590 and to allow her to function as such in accordance with that appointment letter with consequential benefits.

2. Heard both sides and perused the pleadings.

3 Respondents held Trade Test/Interview for

(10)

two posts of Technician (Computer Operator Grade II) at IIP, Dehradun on 15.3.97. As against 35 application which were received, 17 candidates were called for interview/trade test, out of which 14 appeared. A panel of 7 names was prepared in which applicant's name stood at Sl. No. 4 in order of merit.

4. Respondents do not deny having issued appointment letter dated 1.7.98 (Annexure A-5) in respect of that post, but it is clear that the aforesaid letter dated 1.7.98 was clearly illegal, as the vacancies were only two as against which applicant's position in the select list was at Sl. No. 4 in order of merit. It is not applicant's case that the three persons above her declined to join as a result of which her turn came for appointment.

5. Indeed the person immediately above her in that panel namely Shri N.K. Rawat had filed O.A. No. 572/2000 seeking appointment on the basis of the aforesaid selections held on 15.3.97, but that O.A. was dismissed by order dated 11.9.2000 wherein it was held that he did not have any case for being given an appointment against a non-existent vacancy.

6. Other grounds have also been taken by respondents to defend the O.A., but the foregoing is

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itself sufficient for us to hold that the O.A.
warrants no interference. It is dismissed. No
costs.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)

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S.R. Adige

(S.R. Adige)
Vice Chairman (A)