

(16)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

C.A. No. 1984/98

with MA-2072/98

New Delhi: this the 14th day of September, 2000.

HON'BLE MR. S.R. Adige, Vice Chairman (A)

HON'BLE Dr. A. Vedavalli, Member (J)

Harendra Kumar Rajput,
S/o Shri Bhagwan Singh Rajput,
Apprentice Mechanic,
Under Dy. Chief Mechanical Engineer,
Wagaon Repair Shop,
R/o C-22, East Baldev Park,
Delhi-2

.....Applicant

(By Advocate: Shri B.S. Maina)

Versus

Union of India,
through

1. The General Manager,
Western Railway,
Church Gate,
Mumbai,

2. The Divisional Railway Manager,
Western Railway,
Kota,

3. The Dy. Chief Mechanical Engineer,
Wagon Repair Shop,
Western Railway,
Kota

.....Respondents

(By Advocate: Shri P.S. Mahendru)

ORDER

Mr. S.R. Adige, VC (A):

Applicant who has completed his apprenticeship training as a Technician seeks a direction to respondents to consider appointing him against existing/further vacancies.

2. Heard both sides.

3. Shri Maina relies upon the Hon'ble Supreme Court's ruling in U.P. State Road Transport Corporation Vs. U.P. Parivahan Nigam Shishukhs Berozgar Sangh

(17)

SC SLJ 1995(1) 276 Railway Board's Circular dated
3.12.96

4. Before any direction of the kind prayed for by applicant can be issued, a vacancy will have to be identified, and applicant will have to apply for the same. In applicant's OA neither has he identified a vacancy, nor has he pleaded that he has applied for the same. The aforementioned ruling and circular to the extent they are applicable to the facts and circumstances of the present case would come into play only after applicant makes an application against a specific vacancy notified by respondents.

5. No interference in the OA is therefore warranted at this stage. The OA is dismissed. No costs.

A.Vedavalli
(DR. A. VEDAVALLI)
MEMBER (J)

S.R. Adige
(S. R. ADIGE)
VICE CHAIRMAN (A)

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