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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
O.A. NO. 341/1998
M.A. NO. 352/1998

New Delhi this the 12th February, 1998.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN
HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

1. SH. PAWAN KUMAR SON OF SHRI IQUBAL SINGH
WORKING AS A SECTIONAL OFFICER(HORTICULTURE)
IN THE HORTICULTURE DIVISION NO.1, C.P.W.D., NEW DELHI
RESIDENT OF C/538, SAROJINI NAGAR, NEW DELHI
2. SHRI SANJAY KUMAR TYAGI SON OF SHRI M.P. TYAGI
WORKING AS A SECTIONAL OFFICER(HORTICULTURE)
IN THE HORTICULTURE DIVISION NO.1, C.P.W.D., NEW DELHI
RESIDENT OF 12, MANSAROVAR, GALLI NO.3, CIVIL LINES, MEERUT
3. SHRI ARUN KUMAR SON OF SHRI JAIPAL SINGH
WORKING AS SECTIONAL OFFICER(HORTICULTURE)
IN THE NORTH DIVISION, C.P.W.D. NEW DELHI
RESIDENT OF E-10/554, NEHRU VIHAR, DELHI-110 094
4. SHRI AMARJIT SINGH DAGAR SON OF SHRI J.S. DAGAR
WORKING AS SECTIONAL OFFICER(HORTICULTURE)
IN EAST DIVISION, C.P.W.D., NEW DELHI
RESIDENT OF 625/SECTOR-XII, R.K. PURAM, NEW DELHI
5. MAHENDER PARAKASH SON OF LATE SHRI DALIP SINGH
WORKING AS SECTIONAL OFFICER(HORTICULTURE)
IN CENTRAL DIVISION, C.P.W.D.
RESIDENT OF 5861/4, DEV NAGAR, KAROL BAGH, NEW DELHI
6. SHRI KUSHAL PAL SINGH SON OF SHRI RATAN SINGH
WORKING AS A SECTIONAL OFFICER(HORTICULTURE)
IN THE P.W.D.I, GOVT. OF N.C.T., NEW DELHI
RESIDENT OF 17/SECTOR-V, PUSHPI VIHAR, NEW DELHI.

7. SHRI AJAY KUMAR THAKUR SON OF SHRI SAKTHI CHAND
 WORKING AS A SECTIONAL OFFICER(HORTICULTURE)
 IN SOUTH DIVISION, C.P.W.D., NEW DELHI
 RESIDENT OF 1488/13, GOVIND PURI, KALKAJI, NEW DELHI-19

8. SHRI VINAY KUMAR SON OF SHRI VIJAY PAL SINGH
 WORKING AS SECTIONAL OFFICER(HORTICULTURE)
 IN D.E.E., P.W.D.-I, GOVT. OF N.C.T. DELHI.
 R/O 8, TYPE-III, DCE AT NEW CAMPUS, BAWANA ROAD, DELHI-42

9. SHRI INDER MANI TYAGI SON OF SH. SHIV RAJ SINGH TYAGI
 WORKING AS A SECTIONAL OFFICER(HORTICULTURE)
 IN NORTH DIVISION, C.P.W.D., NEW DELHI
 R/O A-166, RAM PRASTHA, P.O. CHANDER NAGAR, GHAZIABAD.

(BY SHRI B. KRISHAN, ADVOCATE)

APPLICANTS

VERSUS

1. UNION OF INDIA, THROUGH ITS
 SECRETARY, MINISTRY OF URBAN AFFAIRS & EMPLOYMENT,
 1ST FLOOR, "C" WING, NIRMAN BHAVAN, NEW DELHI.

2. THE DIRECTOR GENERAL OF WORKS,
 CENTRAL PUBLIC WORKS DEPARTMENT,
 1ST FLOOR, "A" WING, NIRMAN BHAVAN, NEW DELHI

3. THE DIRECTOR OF HORTICULTURE,
 C.P.W.D. INDRA PRASTHA BHAVAN, I.P. ESTATE, NEW DELHI

4. THE DIRECTOR OF ADMINISTRATION,
 CENTRAL PUBLIC WORKS DEPARTMENT,
 1ST FLOOR "A" WING, NIRMAN BHAVAN, NEW DELHI.

RESPONDENTS.

O R D E R (ORAL)

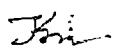


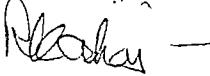
Hon'ble Shri Justice K. M. Agarwal,

Heard the learned counsel for the applicants.

2. According to the applicants, there are as many as ten vacancies with the respondents but they are not notified to the Public Service Commission for being filled up. Applicants are duly qualified candidates for the posts lying vacant with the respondents and, therefore, by this application a direction is sought against the respondents to start with the selection process to fill up the vacant posts so as to enable the applicants to apply and compete with others for the posts lying vacant with the respondents.

3. We are of the view that no such direction can be issued against the respondents. We do not know the reason why the posts are lying vacant. Only when the posts are notified the applicants have a right to apply. If they are not allowed to apply then only they may come before us. Presently, the application appears to be misconceived as also premature. Accordingly, it is hereby summarily dismissed.


(K. M. Agarwal)
Chairman


(R. K. Ahuja)
Member (A)

/as/