

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH  
NEW DELHI.

O.A.No.752/98

New Delhi: this the 21<sup>st</sup> th day of April, 1998.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

Shri Uma Kant Mishra S/o Shri Ram Bharosey Mishra,  
C/o Captain V.K. Tripathi,  
RZ-D-65, Gali No.4, Mahabir Enclave, Palam,  
Delhi  
..... Applicant.

(By Advocate: Shri P.M. Ahlawat)

Versus

Union of India through

1. The Secretary to the Govt. of India,  
Department of Defence Production,  
Ministry of Defence,  
South Block, New Delhi.
2. The General Manager,  
Field Gun Factory,  
Kalpi Road, Kanpur (UP).
3. The Director General,  
Ordnance Factory Board,  
Ministry of Defence,  
Ayudh Bhawan, 10-A, Auckland Road,  
Calcutta-700 001.
4. The General Manager,  
Small Arms Factory,  
Kalpi Road, Kanpur (UP) ..... Respondents.

JUDGMENT

BY HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Applicant seeks appointment in semi-skilled category of Artisan on the ground inter alia that he has completed apprenticeship course.

2. According to applicant's own submissions in para 4.7 of the OA, respondents<sup>have</sup> asked applicant by letter dated 23.1.96 to wait till requirements

3

of extra manpower are projected to the local Employment Exchange.

3. There is no avement in the OA that such a projection has been made, but applicant's name has not been forwarded, or that vacancies have been intimated/advertised but applicant's candidature has not been considered.

4. As appointment depends upon availability of vacancy, in the absence of any avement as to availability of vacancy, the OA is dismissed in limine.

*Lakshmi Swaminathan*  
( MRS. LAKSHMI SWAMINATHAN )  
MEMBER(J)

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

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