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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. No. 1475/1995

New Delhi this the 13th Day of September, 1996

Hon'ble Shri A.V. Haridasan, Vice Chairman (J)

Hon'ble Shri R.K. Ahooja, Member (A)

Shri Vipin Kumar,  
Son of Shri Dewta Singh,  
R/o R-1/40 Budh Vihar,  
Delhi-110 041.

Applicant

(By Advocate: Shri Surinder Singh)

Vs

The Chief Engineer (Irrigation and Flood),  
Govt. of National Capital Territory of Delhi,  
4th Floor, I.S.B.T.,  
Delhi.

Respondent

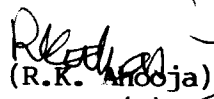
O R D E R (Oral)

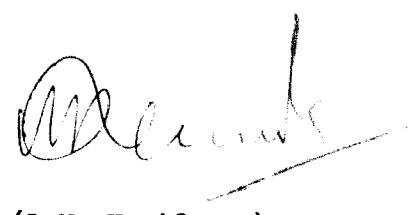
Hon'ble Shri A.V. Haridasan, Vice Chairman (J)

The applicant who is a Beldar under the respondent and was being utilised as a Driver on casual basis has prayed in this application for a direction to the respondent to regularise him as a Driver. Even going by the averments made in the application the applicant acquired a heavy motor vehicle licence only on 10.1.1995, when the trade test was held on 19.12.1994 for regularisation as driver. The applicant did not have the Heavy Motor Vehicle Licence which is a requisite qualification for appointment as HMV Driver. Therefore, the action on the part of the respondent is not appointing the applicant as a Driver cannot be found fault with. According to the recruitment rules a person to be eligible for appointment to the post of HMV Driver should have five years driving experience of which 3 years should be of driving HMV. Since the applicant has acquired HMV driving

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licence on 10.1.1995, he does not satisfy the eligibility criteria under the recruitment rules. The applicant shall continue as a Beldar and may have his chance for appointment as HMV Driver in his turn after he acquires the qualification and experience prescribed under the recruitment rules. As and when a vacancy arises he may be considered for appointment. With the above observations the application is dismissed without any order as to costs.

  
(R.K. Anooja)  
Member (A)

  
(A.V. Haridasan)  
Vice Chairman (J)

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