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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A.NO.249/95

New Delhi, this the 31st day of May, 1995

Hon'ble Shri J.P. Sharma, Member (J)

Hon'ble Shri B.K. Singh, Member (A)

1. Shri Surinder Singh,
s/o Shri Chhatar Singh,
r/o H.No.1697, Kotla Mubrak Pur,
New Delhi.
2. Shri Inder Pal,
s/o Shri Samai Singh,
r/o H.No.41,
Vill. and P.O. Khajuri Khas,
New Delhi.

... Applicants

By Advocate: Shri N. Amaresh

Vs.

1. Union of India
through the
Secretary,
Ministry of Food, Krishi Bhawan,
New Delhi.
2. The Controller of Accounts,
Ministry of Food,
1688, Kasturba Bandhi Marg,
New Delhi.
3. The Principal Pay & Accounts Officer,
Ministry of Food,
Govt. of India,
1688, Kasturba Bandhi Marg,
New Delhi.

... Respondents

By Advocate : Shri M.K. Gupta.

ORDER (ORAL)

Hon'ble Shri J.P. Sharma, Member (J)

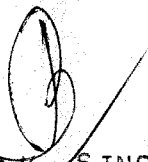
The grievance of the applicant appears
to be that they have not been engaged permanently
or on casual basis inspite of repeated requestes.


...2.

An order had already been passed when they filed earlier application O.A.No.983/93 decided on 10.5.93, O.A.No.1476/93 decided on 21.10.93 and O.A.No.2722/93 decided on 31.1.94. The contempt petition also against the respondents has been filed. This O.A. therefore does not lie and barred by the policy governing the principles of res-judicata which analogically have to be observed as principle of natural justice in proceedings before the Central Administrative Tribunal. Shri N. Amaresh, counsel for the applicant, however, argued that the respondents have not considered him favourably for selection and others have been selected with lesser standing in service. The DPC or selection body is expected to act fairly, impartially and without any prejudicial pre-notions in judging the suitability for a particular engagement. In this application, the applicant has not challenged that selection process or the panel prepared after selection. The present application is, therefore, totally misconceived and not maintainable. However, it shall be still open to the respondents to consider them on the basis of their standing

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in
service if job requirement and the disposal of
this application and rejection will not come
in the way of the applicants. Cost on parties.


(B.K. SINGH)
MEMBER(A)


(J.P. SHARMA)
MEMBER(J)

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