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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA NO.1624/97

NEW DELHI, THIS THE 17 DAY OF JULY, 1997.

HON'BLE MR.JUSTICE K.M.AGARWAL, CHAIRMAN
HON'BLE MR.N.SAHU, MEMBER(A)

Shri Bhagat Raj Singh
S/o Late Shri Horam Singh
R/o G-8A, Shiv Mandir Gali,
Jagatpuri
Delhi-110051

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Applicant

(BY ADVOCATE SHRI R.A.KAPUR)

VS

1. The Union of India,
Ministry of Labour
through its Secretary
Shram Shakti Bhawan
New Delhi-110001.
2. Director General of Training

Shram Shakti Bhawan,
New Delhi-110001.
3. The Recruitment Committee
through Secretary,
Ministry of Labour
Sharam Shakti Bhawan
New Delhi-110001
4. The Principal,
National Vocational Training
Institute for Women,
Sector-1,
NOIDA, U.P.
5. Smt.Divyani Sircar,
Joint Director of Training
Principal, National Vocational
Training Institute for Women
Sector 1, NOIDA, U.P.

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Respondents

Heard the learned counsel for the applicant on admission.

2. It is detected that the cause of action, if any, for filing the present OA arose within the jurisdiction of Allahabad Bench of this Tribunal. However, by mistake, it was entertained by the Registrar of the Principal Bench and also listed for admission before us. Having heard the

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application at the admission stage, one of us, the Chairman by implication consented to the filing of the application with the Principal Bench as also for hearing on transfer of the case under Section 25 of the Administrative Tribunals Act, 1985.

3. On being sponsored by the Employment Exchange for the post of Vocational Instructor, Architectural Draftsmanship in the office of the National Vocational Training Institute for Women, Sector-I, NOIDA, the applicant was called for suitability interview by Memo dated 29.5.1997 (Annex.4) (Emphasis supplied). By the impugned Memo dated 7.7.1997, he has been asked to appear for further interview on lecture demonstration on 17.7.1997. According to the learned counsel, the applicant succeeded in the first interview and, therefore, he could not be called for the second interview on 17.7.1997. According to him, after having declared one interview, two interviews could not be held. He also cited the case of **P.K. RAMCHANDRA IYER Vs. UNION OF INDIA**, (1984) 2 SCC 141 to submit that fresh selection process could not be undertaken by the respondents.

4. We find no substance in any of the aforesaid contentions of the learned counsel for the applicant. There was no advertisement given by the respondents for the post for which the applicant was subjected to suitability test on 19.6.1997. He was sponsored by the Employment Exchange. The earlier Memorandum dated 29.5.1997 specifically stated in para 2 that he was advised to appear on 19.6.97 before the named authority "in order to consider his/her suitability for the said post". It appears that the applicant was found suitable for the post and, therefore, after short-listing, he was called for further interview on lecture demonstration on 17.7.1997. This cannot be said to be duplication of a selection process. The case relied on by the learned counsel is misplaced. The case before the Supreme Court was in regard to selection of new professors, overlooking existing professors for appointment against the revised pay scales. It was not a case of the

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present nature. It is quite distinguishable on facts. This application has no merit. Accordingly it is hereby summarily dismissed.

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(K.M.AGARWAL)
CHAIRMAN

N. Sahu
(N.SAHU)
MEMBER (A).

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