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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 1933/1997

New Delhi this the 14th day of August, 1997.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN

HON'BLE SHRI S. P. BISWAS, MEMBER (A)

Srikant Pandey S/O Kedar Pandey,
R/O A-27, Sadora Kalan,
Chowkri No.2, Delhi-52.

... Applicant

(By Shri K. Venkataraman, Advocate)

-Versus-

1. The Commissioner of Excise,
Government of N.C.T. of Delhi,
L-Block, Vikas Bhawan,
I.P. Estate,
New Delhi.

2. The Secretary of Finance,
Government of N.C.T. of Delhi,
5, Shamnath Marg,
Delhi-54.

... Respondents

O R D E R (ORAL)

Shri Justice K. M. Agarwal,

The learned counsel for applicant is heard.

It is stated in the application under Section 19 of the Administrative Tribunals Act, 1985 that in July, 1980 the applicant was appointed as a Helper. On 18.12.1992 he was asked to perform duties as a Driver. In October, 1994 he qualified himself for appointment as Driver on regular basis. However, he was given appointment on adhoc basis with effect from 8.5.1995. By circular dated 12.12.1996, the respondents invited application for filling up certain vacancies of Driver on regular basis. The applicant was one of the candidates for the same for one of the posts. The learned counsel submitted that the

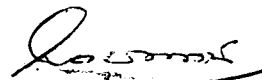
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applicant has learnt that one Driver working in the office of Commissioner, Excise is going to be appointed against the post. There is no basis for such apprehension. If a Driver of the Excise Department is also a candidate for the same post and is considered for the post, the applicant at this stage cannot agitate the matter on the premises that he is going to be excluded from consideration because of the other Driver from the department. If the applicant is excluded from consideration, he may, at appropriate stage, approach the Tribunal again for such relief or reliefs as may accrue to him.

Subject to the observations aforesaid, this O.A. is hereby dismissed as premature.



(K. M. Agarwal)
Chairman



(S. P. Biswas)
Member (A)

/as/