

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

9

OA.No.846 of 1997

Dated New Delhi, this 10th day of September, 1997.

HON'BLE DR JOSE P. VERGHESE, VICE CHAIRMAN, (J)  
HON'BLE MR K. MUTHUKUMAR, MEMBER (A)

Jagdish Chander  
S/o Shri Gopal Singh  
R/o Vill & PO Sihi, Sector-8  
FARIDABAD.

... Applicant

By Advocate: Shri B. L. Madhok, proxy  
counsel for Shri B. S. Mainee.

versus

Union of India, through

1. The Director General  
Employees State Insurance  
Corporation, Kotla Road  
I. P. Estate  
NEW DELHI.
2. The Regional Director  
Employees State Insurance  
Corporation  
Sector-16  
FARIDABAD.

... Respondents

By Advocate: Shri G. R. Nayyar


O R D E R (ORAL)

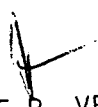
DR JOSE P. VERGHESE, VC(J)

The applicant in this case was appointed to the post of Peon (ad hoc) as a stop gap arrangement till regular incumbents after selection were appointed. After the regular selection was complete and regular incumbents joined, the applicant had to give way to the new entrants who had been duly selected in accordance with law.

The applicant also complains that since he belonged to OBC, his case should have been considered against the quota available to OBC candidate and also without insisting forwarding of his application through employment exchange. The counsel for the respondents, on the other hand, says the applicant had made attempt twice but did not succeed on both the occasion and it is stated on behalf of the respondents that the post in question had been filled up in accordance with the Roster prescribed.

In the circumstances, in case the applicant find that the filling up of the regular vacancies were not done in accordance with the prescribed rules, he is given liberty to challenge the same by filing an M.A. This OA is disposed of. No order as to costs.

  
(K. MUTHUKUMAR)  
MEMBER(A)

  
(DR JOSE P. VERGHESE)  
VICE CHAIRMAN(J)