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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No. 945 of 1997

New Delhi, this the 21st day of October, 1997

Hon'ble Dr. Jose P. Verghese, Vice Chairman (J)
Hon'ble Mr. N. Sahu, Member (Admnv)

Mr. P. D. Sharma, Sr. Engineering
Assistant, Doordarshan and
Akashwani Bhawan, Ministry of
Information and Broadcasting,
Parliament Street New Delhi.

-APPLICANT

(By Advocate Shri Jasmeet Singh)

Versus

1. Union of India through
The Secretary, Ministry of
Information and Broadcasting,
Shastri Bhawan, New Delhi.

2. The Director General, Doordarshan,
Mandi House, New Delhi.

3. The Director General, All India
Radio, Akashwani Bhawan,
Parliament Street, New Delhi.

-RESPONDENTS

(By Advocate Shri R. P. Aggarwal)

JUDGMENT (Oral)

By Dr. Jose P. Verghese, VC (J) -

The case of the applicant in this Original Application is that the respondents had held a departmental examination for the year 1994-95 for 30 posts on 9th, 10th and 11th November, 1994. The examination was actually held. The results were not declared according to the applicant. The applicant was one of the candidates in the said examination. Subsequently, by an order dated 10.1.1997 the respondents declared the result of 21 posts out of the total 30 notified in the said advertisement.

2. After notice, the respondents stated that the remaining 9 posts were belonging to the reserved quota

and for want of appropriate orders on de-reservation, the said vacancies could not be filled up and the procedure for de-reservation is still pending; and as and when the appropriate orders are passed on the said process, those persons who would be likely to come under the select list out of the same examination would be offered the post. In view of the matter, the main relief sought that the entitlement of the applicant for declaration of the result and availability of the residual 9 vacancies stands disposed of on the basis of the above undertaking by the respondents.

3. In the meantime the applicant also alleged that before the result of the 1994-95 examination was declared the respondents have advertised another 100 vacancies for the year 1996-97 and the examination was to be held on 8th, 9th and 10th January, 1997. We are afraid that no positive direction can be given as against these vacancies. These vacancies have arisen according to the respondents in accordance with the rules and have been duly advertised and the said examination has already been held on 8th, 9th and 10th January, 1997. Being an open competitive examination the applicant also could have appeared in the said examination. As such any claim for these vacancies on the basis of 1994-95 examination is out of place.

4. The applicant also stated that in view of various promotions made yearwise in one cadre above, a reasonable apprehension exists that there would have been more vacancies available than the 30 announced for the purpose of filling up of the candidates from the

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examination of the year 1994-95. Even though strictly the surplus vacancies if any available could not be filled up by the candidates from the said examination, when the panel is finalised out of the examination of 1994-95, and in the event the respondents find that there has been some mistake in calculating the vacancies, the respondents shall fill up these vacancies in accordance with rules.

5. With the above directions, the O.A. is disposed of. No costs.

Narayana

(N.Sahu)

Member(Admnv)


(Dr.Jose P.Verghese)

Vice Chairman(J)

rkv.