

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

(2)

O.A. No. 2177 of 1944

New Delhi, this the 2nd day of November, 1994.

HON'BLE MR JUSTICE S.K.DHAON, VICE CHAIRMAN
HON'BLE MR B.N.DHOUNDIYAL, MEMBER(A)

Shri Riyasat Ali S/O Shri Zaffruddin,
Trade Dhobi, AMSE, Air Force, Palam,
New Delhi-10.

..... Applicant.

(through Mr S.C.Saxena, Advocate).

vs.

1. The Secretary,
Ministry of Defence,
Govt. of India,
New Delhi.

2. The Joint Director Personnel(Civ.)
PC-4, Air Headquarters,
Vayu Bhavan,
New Delhi-110011.

3. The Air Officer Commanding
AMSE, Air Force, Palam,
New Delhi.

..... Respondents.

ORDER(Oral)

HON'BLE MR JUSTICE S.K.DHAON

The material facts in this O.A. are these.

Initially, the petitioner was appointed as Carpenter.

His services were dispensed with. There was a gap.

He applied for the post of a Dhobi. He was given

such ^{an} assignment. It appears that there was a vacancy

of a Carpenter. He made a representation that

his services as a Dhobi may be transferred to that of

a Carpenter. The authority concerned has informed

the applicant that there is no vacancy of Carpenter

at the local level. This is reflected by a communication

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dated 21.10.1993 of the Wing Commander. It is also stated in the communication that he may apply for the post of Carpenter as a departmental candidate as and when the recruitment takes place.

2. The prayer, in substance, is that we may direct the respondents to convert the appointment of the applicant as Dhobi into Carpenter. The learned counsel for the applicant has urged at the Bar that even though the applicant had been appointed as Dhobi, work of a Carpenter was and is being taken from him. This assertion is belied by a legal notice dated 24.08.1994 sent by the learned counsel for the applicant, who is before us. In this notice, there is not a whisper that the work of a Carpenter is being taken from the applicant.

3. Having considered the matter with care and due consideration, we feel that the applicant has no legal right to claim that his post of Dhobi should be converted into the post of a Carpenter. We are, therefore, unable to grant any relief to the applicant. We have no doubt that the authorities concerned shall consider the case of the applicant for being appointed as Carpenter as and when recruitment takes place.

4. The application is rejected summarily.

B. N. Dholiyal
(B. N. Dholiyal)
Member (A)

S.K. Dhaon
(S.K. Dhaon)
Vice Chairman.

/sds/