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Central Administrative Tribunal
Principal Bench: New Delhi

CP 130/97 in
OA 1400/96

New Delhi this the 1st day of September 1997.

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

Tikam Singh
S/o Mr Saudan Singh
R/o H.No.223
Gali No.B5
Nand Nagri
Delhi.

...Petitioner.

(By advocate: Mr A.K.Bharadwaj)

Versus

1. Mr Srinivasan
Secretary
Ministry of Sahakarya & Rozgar
Govt. of India
New Delhi.
2. Mr Meghram
Director
Nagar & Village Niyojan Sangathan
B-Block, Vikas Bhawan
Indra Prastha Estate
New Delhi.
3. Mr K.P.Kosmy
Administrative Officer
Nagar & Gram Niyojan Sangathan
B-Block, Vikas Sadan
I.P.Estate, New Delhi.

...Respondents.

(By advocate: Mr V.S.R.Krishna)

O R D E R (oral)

Hon'ble Dr. Jose P. Verghese, Vice Chairman (J)

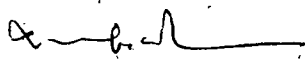
By this CP, petitioner is complaining that the respondents have not complied with the orders of the court to the extent that as stated in para 5 of the petition, three other outsiders have been considered. In reply to the petition, respondents have now stated that all the three persons are engaged on regular posts since there are no casual posts and therefore the petitioner was not considered. We find that this is not a compliance with our orders.


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2. Our orders directing the respondents to consider the petitioner whenever casual vacancy arises and thereafter confer temporary status in accordance with rules are all to be done in view of the availability of regular vacancy against which the petitioner would be considered as and when such regular vacancy arises. The respondents considered that the direction does not pertain to regular vacancy and the petitioner was ignored and it is substantial violation of our orders.

3. Counsel for the respondents submits that the petitioner will be considered against a regular vacancy alongwith others by holding a review selection. A review selection may be held for the 3 posts. If the petitioner is found eligible in accordance with rules, the last person out of the three will have to wait till next vacancy arises. Such a procedure may be completed within 4 weeks from the date of receipt of this order and in case the petitioner is not found fit, respondents may consider engaging him on a casual basis against available vacancy. It also goes without saying that the regular appointment now made may not be replaced until review selection takes place.

4. On the basis of above, the CP is disposed of and notices discharged.


(N. Sahu)
Member (A)


(Dr. Jose P. Verghese)
Vice Chairman (J)

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