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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A.No.1023/2000

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)  
Hon'ble Shri Govindan S. Tampi, Member(A)

New Delhi, this the 15th day of December, 2000

Pawan Kumar  
s/o Late Babu Ram  
r/o H.No.140, Karawal Nagar  
Main Chowk  
Delhi - 94. ... Applicant  
(None)

Vs.

1. Chief Engineer  
Central Public Works Department  
(North zone)  
Nirman Bhawan  
New Delhi.
2. Executive Engineer  
Coordination Circle (Elec.)  
Room No.401-A, 4th Floor  
I.P.Bhawan  
I.P.Estate  
New Delhi - 110 002. ... Respondents

(By Shri K.C.D.Gangwani, Advocate)

O R D E R (Oral)

Justice V. Rajagopala Reddy:

None appears for the applicant even on second call. Heard the learned counsel for the respondents.

2. The short point that arises in this case is whether the applicant is entitled to claim appointment on the basis of his OBC certificate against the OBC vacancy, of Electrical Khalasi. His case is that he has been empanelled in the year 1994 and that he was placed at Sl. No.9 in the select list, though his juniors have been appointed, in the select list, he was not considered for the said appointment.



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3. In the counter, it was however stated that the applicant was interviewed and placed at Sl.No.82 and not at Sl.No.9 and no person junior to him has been considered for appointment and the panel was also expired by efflux of time.

4. It is seen from the OBC certificate produced by the applicant from the office of Deputy Commissioner of Delhi on 28.12.1998 that according to the notification issued on 20.1.1995, he belongs to the community of "Nai" (Barber) it was recognised as Other Backward Class. Admittedly, the selections were made in 1994 and the panel was prepared in 1994 itself. It is also stated in the reply that this certificate was not produced at the time of selection. Thus it is clear that empanellement of the applicant could not have been considered against OBC category. Further as it is stated that none of the applicant's juniors have been considered for appointment and also the panel has been expired by efflux of time, we do not find any merit in the OA. It is open to the applicant to apply for the future vacancy against the OBC category in accordance with the rules and instructions on the subject. The applicant is however not entitled for any relief in this case. The OA is accordingly dismissed at the time of admission. No costs.

(GOVINDAN S. TAMPI)  
MEMBER(A)

*Ambramandla*  
(V. RAJAGOPALA REDDY)  
VICE CHAIRMAN(J)

/RAO/