

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1073/2000

New Delhi, this 28th day of September, 2000

Hon'ble Shri Justice Ashok Agarwal, Chairman  
Hon'ble Shri M.P. Singh, Member(A)

G.K. Mukherjee  
1257, Sector VIII  
R.K.Puram, New Delhi-22 ... Applicant

(By Shri L.R. Khatana, Advocate)

versus

1. Director General, National Museum  
Janpath, New Delhi  
New Delhi
2. Joint Secretary (incharge of National Museum)  
Shastri Bhavan, New Delhi
3. Shri O.P. Nagpal  
Administrative Officer  
National Museum  
Janpath, New Delhi ... Respondents

(By Shri A.K. Bhardwaj, Advocate)

ORDER(oral)


By Shri Justice Ashok Agarwal


Pursuant to an advertisement issued for filling up the post of Administrative Officer (Group B, Gazetted), 21 candidates applied out of which 12 were found eligible. The Selection Committee on consideration of aforesaid 12 eligible candidates has prepared a panel placing Respondent No.1 at Sl.No.1, applicant at Sl.No.2 and one Shri Ashwani Kumar Sehgal at Sl.No.3. Offer of appointment has accordingly been issued to R-3 who is placed at Sl.No.1 in the panel. By the present OA, applicant seeks to impugn the aforesaid selection inter alia on the ground that he has preferential claim over that of R-3.

2. Respondents No.1 and 2 in their counter have averred that the selection committee after going through the ACRs and experiences of the candidates, found R-3 the

5

most suitable candidate keeping in view the vast and practical experience of about 24 years in administration, accounts, stores etc. in the National Museum of Natural History, a subordinate office of the Ministry of Environment & Forests, New Delhi. In our view, the aforesaid selection made by the Selection Committee which is constituted <sup>of</sup> ~~by~~ highly responsible officers cannot be successfully impugned in the present OA. It has to be remembered that merely because the ACRs of the applicant may be superior to that of R-3 cannot and will not entitle the applicant to claim <sup>selection</sup> ~~successful~~ as the same cannot be the sole criteria for selection. Several factors are considered when a selection is made. <sup>Wa are</sup> ~~where~~ neither the selection committee nor can we act as a court of <sup>appeal</sup> ~~law~~. The present OA, in the circumstances, is devoid of merit and the same is accordingly dismissed. No costs.

  
(M.P. Singh)  
Member(A)

  
(Ashok Agarwal)  
Chairman

/gtv/