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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

O.A. No.1323/89

New Delhi this 25th Day of March 1994

The Hon'ble Mr. J.P. Sharma, Member (J)
The Hon'ble Mr. B.K. Singh, Member (A)

Shri Ghanshyam Dutt Mishra,
Son of Shri Balmukand Misra,
L.D.C. in the Office of
Central Translation Bureau,
CGO Complex,
New Delhi-110 003.

... Applicant

(By Advocate ; None)

Versus

1. Union of India through
the Secretary,
Department of Official Language,
North Block, New Delhi.
2. Director, Central Translation Bureau,
Paryavaran Bhawan, 8th Floor,
C.G.O. Complex, Lodi Road,
New Delhi-110 003. ... Respondents

(By Advocate : Shri M.L. Verma)

ORDER (Oral)

Hon'ble Mr. J.P. Sharma, Member (J)

The applicant at the relevant time was working as Lower Division Clerk in the office of the Central Translation Bureau, CGO Complex, New Delhi. He was aggrieved by the order dated 28.6.1989 (Annexure A) by which the Central Translation Bureau issued a notification that under the 10% quota for one vacant post of Clerk is to be filled up on regular basis for which those who are working in Group 'D' posts have to take the departmental written and typing test. All the Class IV employees who have the eligible qualifications i.e. who have passed the matriculation

or equivalent examination and must be less than 45 years of age in the year 1984 relaxable to 50 years for reserved category and have worked for 5 years in the Class IV post. The applicant has prayed that direction be issued to the respondents that the applicant be not called to appear in the written and typing examination against the vacancy for which the applicant was appointed and is working as Clerk.

2. The applicant has also prayed for the grant of the interim relief but by the order of 7.7.1989 the interim relief was not granted to the applicant.

3. The respondents in their reply has stated that departmental examinations are necessary for filling up the post and the applicant never qualified the written test. He was only appointed on ad hoc and in a stop gap arrangement. The contention of the applicant that he passed the written test when he was appointed on 14.3.1988 has been denied. A regular ^{can} / vacancy of LDC _{can} be filled up only through the Staff Selection Commission. However, since there is a time gap to fill up the vacancy ad hoc promotion is given. The applicant had to clear the departmental examination of 10% quota. There is no illegality in the order. The applicant has also filed the rejoinder reiterating the facts stated in the application. However, in the rejoinder it is not stated that the applicant has passed the written test of 10% quota.

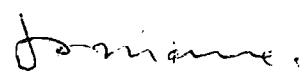
4. We have gone through the pleadings of the parties. Since this is an old matter, we find that the present application has become infructuous. The relief can be granted to the applicant as to the holding of

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of the examination was not stayed.

The application, therefore, is dismissed as infructuous. There is no costs.


(B.K. Singh)
Member (A)


(J.P. Sharma)
Member (J)

Mittal