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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

O.A. NO. 1731/89

New Delhi this the 22nd day of April, 1994

CORAM :

THE HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN  
THE HON'BLE MR. P. T. THIRUVENGADAM, MEMBER (A)

Hemant Kumar S/O C.P. Govil,  
L.D.C. in Zonal Office (W.C. East),  
C.P.W.D. Nirman Bhawan,  
New Delhi. ... Applicant

None for the Applicant

Versus

1. Union of India through  
The Superintending Engineer,  
Delhi Central Circle-I,  
Coordination Circle (Civil),  
C.P.W.D. Indraprastha Bhawan,  
New Delhi - 110002.

2. Director General of Works,  
C.P.W.D., Nirman Bhawan,  
New Delhi. ... Respondents

None for the Respondents

O R D E R (ORAL)

Shri Justice V. S. Malimath -

None appeared either for the petitioner or for the respondents. As it is a very old matter, we considered it proper to look into the records and dispose of the case on merits.

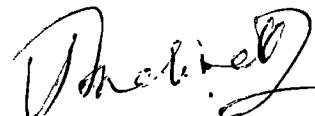
2. The grievance of the petitioner is in the matter of promotion to the cadre of UDCs in the quota of 50%, reserved for promotion on the basis of the result of the competitive examination which is required to be held every year. The petitioner's case is that he having appeared and qualified in the test in the year 1988, it is the duty of the respondents to exhaust

the list of successful candidates for the year 1988 and that the respondents are not entitled to hold another examination in the year 1989. The petitioner has no support from the statutory rules. On the contrary, the statutory rules require holding of an examination every year. Hence, it is not possible to accede to the prayer of the petitioner that until all those who were successful in the 1988 examination are promoted, no examination should be held or that those who succeeded in the subsequent examinations should not be promoted. The petitioner has not placed any rule or order in support of this claim of his. The petitioner has thus failed to establish that he is entitled to the relief claimed by him.

3. This application accordingly fails and is dismissed. No costs.

P. T. Thiruven

( P. T. Thiruvenvadam )  
Member (A)



( V. S. Malimath )  
Chairman

/as/