

(16)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No. 1800/1989

New Delhi, dated the 15th April, 1994.

Hon'ble Sh. B.N. Dhoundiyal, Member (A)

Hon'ble Sh. B.S. Hegde, Member (Judicial)

Shri Ganesh Ram
S/o Shri Raghbir
R/O Type-III permanent
Staff Colony, Badarpur,
New Delhi-44

.... Applicant

(None for the applicant)

Versus

1. Union of India, Secretary, Ministry of Education, Central Sectt., New Delhi
2. Delhi Admn. through Chief Secretary, Delhi Admn. Old. Sectt. Alipur Road, Delhi
3. Director of Education, Delhi Education, Directorate, Old. Sectt., Delhi
4. Deputy Director of Education, Technical and Science Branch, Link Road, N/Delhi
5. Administrative Officer, Estt. Branch Directorate of Education, Old. Sectt., Delhi

.... Respondents

(By Advocate Mrs. Avnish Ahlawat)

ORDER (ORAL)

(Hon'ble Shri B.N. Dhoundiyal, Member (A))

This application has been filed by Shri Ganesh Ram who is working as Museum Assistant in the Science Centre cum Central Workshop No. II, Vasant Vihar. He is aggrieved that he has been denied promotion to the post of Carpenter

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though fully qualified and there are vacancies which are going to be filled by the recruitment of otherside ignoring the applicant who was interviewed on 18.10.1988. He prays for a direction to the respondents to confirm him as carpenter-cum-mistry.

2. This case was fixed in the first 10 cases with a note to the counsel that 10 cases are posted peremptorily for final hearing. This case has been called out twice, none is present on behalf of the applicant. We therefore, proceed to dispose it of on the basis of the pleadings and the submissions made by the learned counsel for the respondents.

3. It is admitted that the applicant is qualified as carpenter and that he was called for interview^{by}. However, he failed in the selection. The learned counsel for the respondents draw our attention to the Recruitment Rules for the post of carpenter notified on 12.10.72 (Ann.R.1) Only mechanics in the pay scale of 730-940 with 2 years of service are eligible for promotion. Since the applicant does not fall in this category, he is not eligible for promotion for which 33½% of the posts are reserved. 66.2% of the posts are filled up by Direct Recruitment and the applicant failed to be selected in this quota.

4. In view of the aforesaid consideration, it is clear that the applicant cannot claim ^a as/matter of right

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promotion to the post of Carpenter. He ^{is} ~~shall~~ however be considered for Direct recruitment as and when vacancies arise in accordance with rules. The OA is disposed of with these directions.

No costs.

[Signature]
(B.S. Hegde)

Member (J)

[Signature]
(B.N. Koundiyal)

Member (A)

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