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CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench, New Delhi.

O.A.92/89

New Delhi, This 2nd Day of February 1994.

Hon'ble Shri C.J. Roy, Member(J)

Hon'ble Shri P.T. Thiruvengadam, Member(A)

Shri Ganesan Patavil Madappupakkal
s/o Sh. V Kunhircaman
R/o Flat No.2, C.P.W.D.
Enquiry Office
East Kidwai Nagar
New Delhi - 110023.

Applicant

By Advocate Nene

Versus

1. Superintending Engineer,
Co-ordination Circle(Civil)
C.P.W.D, I.P. Bhavan
New Delhi - 110002.
2. Sub: Regional Employment Officer(Tech)
Sub Regional Employment Exchange
Pusa - New Delhi 110012.

Respondents

By Advocate Ms Ashok Jain.

O R D E R (oral)

Hon'ble Shri C.J. Roy, Member(J)

1. The applicant filed this OA under section 19 of the CAT Act claiming relief that the Respondent No.2, the Employment Exchange, be directed to sponsor the name of the applicant to Respondent No.1 and Respondent No.1 will also be directed to allow the applicant to appear in the test that was stated to be conducted on 20.1.1989. Besides, the respondents may be restrained from proceeding ahead with the selection process till such time the applicant name is sponsored and considered. On this OA this Bench has directed by way of interim relief the Respondent No.2, the Employment Exchange, to sponsor the name of the applicant for the said test that was being conducted by Respondent No.1. In case the results are declared before the decision of the Bench, the result of the applicant will be kept in a sealed cover and will be subject to the result of this petition. This order was passed by dasti on 18.1.89.

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2. The brief case of the applicant is that he has qualified SSC along with 2 years National Trade Certificate course of Draughtsman Civil from I.T.C, Pinarayi in the year 1985 and got his name registered with Respondent No.2 vide Registration No.T/16095/85, N.C.O. No.030.20, for a suitable employment and the copy of the said certificates are enclosed at Annexures-2,3 and 4. Later on the Respondent No.2 filed the counter stating that the applicant has registered his name with them and the card was missing and therefore by way of supplementary list his name was also sent.

3. Since the applicant is not before us we have heard the learned counsel for respondent No.2 Ms Ashok Jain and perused the records. Ms Ashok Jain further mentioned that respondent No.2 has put a ^{charge} ~~class~~ in the counter that unless a clearance certificate is issued by the Respondent No.2 the result of the said examination with regard to the candidate may not be declared. The Supdt. Engineer also permitted Mr. Ganeshan P.M. while allotting Roll No. 391 for appearing in the said examination which was held on 20.1.89 for the post of Draftsman(civil) vide Supdt. Engineer letter No.9(10)/88 Cord. Circle (Civil)/155 dated 27.1.89. Now the learned counsel for the respondent No. 2 has not pressed this condition in the counter. In view of this it has become clear that the Employment Exchange has already sponsored his name and sent it to the Respondent No.1 and consequently he appeared for the test also.

4. The main claim of the applicant is that ^a ~~direction~~ be given to the Employment Exchange to sponsor his name and direct respondent No.1 to permit him for the examination and the respondent ~~may~~ be restrained from proceeding ahead with the selection process till such time his candidature is sponsored and considered.

5. The sponsoring of the candidate by respondent No.2 has been done according to the learned counsel for the Respondent No.2. The respondent No.1 has not filed any counter and the applicant has not appeared before us. Therefore, we are not in a position to know whether the candidate has actually appeared for the examination.

6. In the circumstances of the case, the following direction is given:-

"In case if the candidate has appeared for the examination, the result which was kept under sealed cover by the Respondent No.1 may be opened and acted upon accordingly. This exercise may be completed as expeditiously as possible within a month of receipt of this Order. No costs."

P. T. Thiruvengadam
(P.T.THIRUVENGADAM)
Member (A)

C. J. Roy
(C.J. ROY)
Member (J)

LCP