

(12)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI.

O.A. 419/88

Date of decision: 4.10.1993

Nanak Chand Tekwani

... Petitioner.

Versus

Union of India through  
The Secretary,  
Department of Company Affairs,  
Ministry of Industry,  
New Delhi & Ors.

... Respondents.

CORAM:

THE HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.  
THE HON'BLE MR. S.R. ADIGE, MEMBER(A).

For the petitioner	-	None.
For the respondents	-	Shri N.S. Mehta, Sr. Standing Counsel.

JUDGEMENT (ORAL)

(By Hon'ble Mr. Justice V.S. Malimath,  
Chairman)

None appeared on behalf of the petitioner. Shri N.S. Mehta, Sr. Standing Counsel, was present on behalf of the respondents. As this is a very old matter, we thought it proper to look into the records, hear the learned counsel for the respondents and dispose of this case on merits.

2. Two posts of Court Masters in the M.R.T.P. Commission were advertised of whom one was reserved for the member of the Scheduled Caste. The petitioner, who is a general merit candidate, along with the others offered themselves as candidates. The petitioner was called and duly interviewed. But he was not selected. One Shri V.K. Agarwal was selected in a general vacancy and one Shri Gopal Singh was selected ✓

in a vacancy reserved for the member of the Scheduled Caste. On merits, the petitioner could not get selected as Shri V.K. Agarwal was found to be a person of better merit. But Shri Gopal Singh, who was selected, did not join and, therefore, the post was once again advertised for being filled up amongst the scheduled caste candidates. It is in this background that the petitioner has approached the Tribunal for a direction to the respondents that the said post should be dereserved and the petitioner appointed after such dereservation on the basis of the interview held in the year 1986. We fail to see how the petitioner can claim such relief as a matter of right. His claim is not based on any statutory provision or any other executive order regulating the appointment to the said post. The petitioner has not made out any case to dereserve the post meant for the member of the Scheduled Caste. There is no justification to do so either at the instance of the petitioner who does not belong to the Scheduled Caste. It is, therefore, clear that he has no case in this application. It is accordingly dismissed. No costs.

*Arfalg*  
(S.R. ADIGE)  
MEMBER (A)

*Malimaath*  
(V.S. MALIMATH)  
CHAIRMAN

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