

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Regn. No. OA 1175/86

Date of Decision: 1.9.1993

Shri Ranjit Ram

Petitioner

Vs.

Union of India & Ors.

Respondents

For the Petitioner

Shri Shyam Babu

For the Respondent

None

CORAM

1. HON'BLE MR. JUSTICE S.K. DHAON, VICE CHAIRMAN
2. HON'BLE MR. B.N. DHOUNDIYAL, MEMBER (A)

JUDGMENT (ORAL)

(Delivered by Hon'ble Mr. Justice, S.K. Dhaon
Vice Chairman (J))

A Stenographer, Grade-III, in the National Museum of Natural History, is aggrieved by the absorption of the respondent No.3, Mrs. Sneh Lata Baluja, as Stenographer, Grade-II in the aforesaid institution.

2. On 8.6.82 the petitioner was working as Stenographer Grade-III and on that date he was not qualified to be considered for promotion as Stenographer grade-II. On that day the respondent No.3 was brought on deputation from Dehradun as Stenographer, Grade-II. Her term of deputation expired on 7.6.85. On 13.6.85 an advertisement was issued calling for applications for the post of Stenographer grade-II being filled up again on deputation. Some sort of selection process took place of those who submitted their applications against this advertisement. However, the committee found nobody fit. On 14.8.85

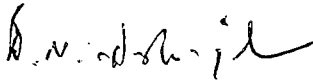
the respondent No.3 was absorbed as Stenographer Grade-II. Even on that day the petitioner was not qualified to be considered for promotion as Stenographer Grade-II.


3. The learned counsel stated that the petitioner would have acquired the necessary qualification sometime in February 1987. The counsel submitted that the respondent No.3 had been illegally absorbed and the chances of promotion of the petitioner stood marred.

4. We have seen the records which have been filed by the respondents and we are satisfied that the respondents had acted within the frame of the rule while absorbing respondent No.3.

5. The fact that, as a result of the absorption of the respondent No.3, chance of the petitioner being considered for promotion has receded, gives rise to no legal ^{primary} events. Therefore the petitioner cannot maintain this application.

The application is dismissed but without any order as to cost.


(B.N. Dhoundiyal)
Member (A)
1.9.1993


(S.K. Dhaon)
Vice Chairman (J)
1.9.1993

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