

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

REGN. NO. O.A. 45/87.

DATE OF DECISION: 30th July, 1992.

Ajit Singh.

... Petitioner.

Versus

Union of India & Ors.

... Respondents.

CORAM: THE HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.
THE HON'BLE MR. I.K. RASGOTRA, MEMBER(A).

For the Petitioner.

... None.

For the Respondents.

... Shri B.K. Aggarwal,
Counsel.

JUDGEMENT (ORAL)

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

Neither the petitioner nor his counsel was present.

Shri B.K. Aggarwal, Counsel, was present for the respondents.

As this is a very old matter, we consider it appropriate to dispose of this matter on merits.

2. This case is fully covered by the judgement of the Tribunal in O.A. No. 38/87 and connected cases, decided on 24.7.1992.

The petitioner was in pursuance of a local test held by the Station Superintendent appointed as a Coach Attendant.

Subsequently, he was asked to take a regular test for filling up the post of Coach Attendant on regular and division-wise basis.

The petitioner declined to take the test contending that his earlier selection must be regarded as regular, and that, therefore, he is not liable to take another test. The nature of the test and the appointment he earned in pursuance thereof was only for making ad hoc arrangement by the Station

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Superintendent. Under the relevant rules, the appointment has to be made by a Selection Committee on division-wise basis after a selection test is held for that purpose. The original appointment was only on ad hoc basis nor was the selection in accordance with the rules by the Selection Committee. That was a local arrangement made by the Station Superintendent. Hence, he cannot claim a right to the post of Coach Attendant without getting selected in accordance with the statutory rules. The matter is fully covered by a judgement of the Tribunal in O.A. 45/87 and connected cases, decided on 24.7.92. Following the said decision, this petition fails and is accordingly dismissed. No costs.

GRD
300792

Salgudi
(I.K. RASGOTRA)
MEMBER(A)

Malimath
(V.S. MALIMATH)
CHAIRMAN