

S/P
(9)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

REGN. NO. O.A. 748/87. DATE OF DECISION: 29.5.1992

Lalit Kumar & Ors. ... Petitioners.

Versus

Union of India & Anr. ... Respondents.

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

For the Petitioners. ... None.

For the Respondents. ... Shri O.N. Moolri,
Counsel.

JUDGEMENT (ORAL)

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

None appeared for the petitioners. As this is a
very old case, we consider it appropriate to peruse the
records and hear the learned counsel for the respondents
and dispose of this matter.

2. The petitioners started their career as Coaching
Clerks. It is their case that they were promoted on
basis
ad hoc as Reservation Clerks which posts they have held
for nearly 3 years. Apprehending that they would be reverted
and that their services would not be regularised as Reservation
Clerks, they have come to the Tribunal with this application.
The respondents have taken the stand that there was no
regular promotion of the petitioners as Reservation Clerks.
It is their case that on account of temporary rush of work
during summer, temporary sanction of reservation clerks was

granted in which the petitioners were accommodated. Once sanction of the temporary post ceased to exist, the petitioners had to revert. So far as regular filling up of the vacancies in the cadre of Reservation Clerks is concerned, selection tests were held. It is the case of the respondents that though the colleagues of the petitioners offered themselves to appear in such test, the petitioners did not avail of such an opportunity. The petitioners having not appeared in selection test cannot complain about their not being selected as Reservation Clerks. So far as regularisation of their services is concerned, it is stated by the respondents that under the relevant provision the petitioners would have qualified if they had put in more than three years service. As this condition was not fulfilled, they were not entitled to regularisation. There is no good reason to disbelieve the version of the respondents. We, therefore, do not find this ~~is~~ a fit case for interference. This petition fails and is dismissed. No costs.

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

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Malimath
(V.S. MALIMATH)
CHAIRMAN