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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
DELHI.

O.A. No. 93/1990.

Date of decision: August 21, 1990.

Shri R.K.Chugh & Ors ... Applicants.

Vs.

Union of India & Ors ... Respondents.

CORAM

Hon'ble Mr. Justice Amitav Banerji, Chairman.

Hon'ble Mr. I.K. Rasgotra (Member).

For the applicants ... Shri S.L.Lakhanpal, counsel

For the respondents ... Shri P.P.Khurana, counsel.

O R D E R

This Application under section 19 of the Administrative Tribunals Act, 1985, by Shri R.K.Chugh and others came up for admission before us today. We have heard Shri S.N.Lakhanpal, learned counsel for the applicants.

The applicants state that they were placed at a higher position in the Draft Seniority List than 12 other Interpreters (Language) in the Cabinet Secretariat.

Subsequently, their position was altered when the official seniority list was prepared and 10 other Interpreters in different languages were placed in positions which were superior to many of the applicants. It was urged that this could not be done. The applicants have urged that they were not afforded an opportunity before the seniority list was finalised arbitrarily.

A perusal of the Application and the connected papers shows that the 7 applicants were Interpreters in

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Chinese language and they were placed in the Draft Seniority List in accordance with their placings in the Chinese language. But an overall position was taken including the candidates in other languages like French, Burmese, Tibetan, Persian, Urdu, Korean, and Russian and they were granted position according to marks obtained by them when the final seniority list was prepared. In these circumstances, there was no question of giving them an opportunity of being heard or of writing a reasoned order. We are not able to accept the contention that the final seniority list was prepared arbitrarily. The stand was taken by the respondents that there were vacancies for 22 positions for Interpreters in various languages. This was advertised through a single circulation and a consolidated list of 22 Interpreters was prepared. The seniority was assigned in accordance with their respective position in the merit list. We find sufficient force in the stand taken by the respondents.

We are also satisfied that the Draft Seniority List was not final selection list for 22 vacancies that had to be prepared or an overall view of the marks secured by the candidates. The Draft List can always be amended but it must be based on valid reasons. A Draft List is not a final list. In this case, the Draft List was not based on a complete data. The final list was based on complete data of all the candidates concerned and it took into account their respective position on the basis of marks

obtained by them in the test/interview. Thus, there were valid reasons for preparing the final list.

We have considered the matter and we find that there is no case made out for interfering with the order passed by the respondents. Consequently, this Application fails and is dismissed at the admission stage.

Shri
(I.K.RASGOTRA)

MEMBER (A)

21.8.1990.

Ch
(AMITAV BANERJI)
CHAIRMAN
21.8.1990.

SDS