

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(6)

O.A. No. 2960/91 .. Date of decision: 7.7.1992.

Sh. Upender Kumar .. Applicant

Sh. A.K. Bhardwaj .. Counsel for the applicant

Versus

U.O.I. & Others .. Respondents

Sh. P.H. Ramchandani .. Counsel for the respondents

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HON'BLE JUSTICE SH. P.K. KARTHA, VICE CHAIRMAN (J)

HON'BLE SH. B.N. DHOUNDIYAL, MEMBER (A)

JUDGEMENT (Oral)

(Delivered by Hon'ble Sh. P.K. Kartha, Vice Chairman(J)

Heard the learned counsel for both the parties.

The applicant had previously filed an OA No. 1459/91, which was disposed of by judgement dated 8.11.91 alongwith the batch of other applications. In OA No. 1459/91, the applicant had prayed for regularisation of his services as Electrician and for paying him salary in the pay scale of Electrician. The Tribunal did not grant the relief sought by him.

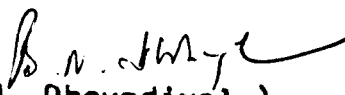
2. In the present application, he has prayed for the direction to the respondents to consider him for appointment as Electrician on the existing vacancies in the Central Laboratory, by giving relaxation of age.

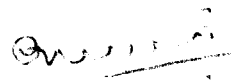
3. The respondents have raised the preliminary objection that the present application is not maintainable as the principle of constructive res-judicata will apply. They have, however, stated in their counter affidavit that the applicant was selected ^{as a} Muster Roll Fitter (Electrical) on the basis of the sponsorship of his name by the Employment

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Exchange. They have also stated that the applicant will be regularised as Fitter as per his seniority as fitter (Electrical). After hearing both sides, we do not consider it appropriate to give any direction to the respondents with regard to the regularisation of the applicant. The respondents themselves have stated that the needful will be done in accordance with the seniority of the applicant. The application is disposed of accordingly.

There will be no order as to costs.


(B.N. Dhoundiyal)
Member (A)


(P.K. Kartha)
Vice Chairman (J)