

(14)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

C.C.P. NO. 58/92 in
O.A. NO. 2317/91

DECIDED ON : 07.02.1992

Ram Ashrey Ram	...	Petitioner
	Vs.	
V. P. Sawhney & Ors	...	Respondents

CORAM

THE HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN
THE HON'BLE MR. P. C. JAIN, MEMBER (A)

Shri P. T. S. Murthy, Counsel for Petitioner

ORDER (ORAL)

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

The interim direction breach of which is complained in this petition required the respondents to consider engaging the petitioner as L.D.C. on casual basis if vacancy is available in preference to persons with lesser qualification. The respondents have informed the petitioner that they are not in a position to offer appointment to the petitioner as they are not proposing to fill up any of the vacancies on ad-hoc basis. The learned counsel for the petitioner contends that if the vacancies are there, the interim order mandates them to appoint the petitioner. We find it difficult to accede to this contention of the learned counsel. The clear effect of the interim direction is that if vacancies are there and the authorities find the need to fill up those vacancies, then they have to appoint the petitioner in preference to persons with lesser qualifications.

Hence, it is not possible to take the view that there is any violation of the interim direction given by the Tribunal on 8.10.1991. The petition is accordingly dismissed.

Cm.
(P. C. JAIN)
MEMBER (A)

V. S. Malimath
(V. S. MALIMATH)
CHAIRMAN

as
07/02/92