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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

C.C.P. NO. 66/92 in
O.A. NO. 552/91

DECIDED ON : 17.2.1992

R. K. Loona

... Petitioner

Vs.

Union of India & Ors.

... Respondents

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

Shri U. K. Choudhary, Counsel for Petitioner

ORDER (ORAL)

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

The complaint in this case is that the judgment of the Tribunal in OA-552/91 dated 1.10.1991 has been violated. The direction in the said judgment is that the petitioner be engaged as ad-hoc Scientist if vacancy exists and in preference to rank outsiders. There is a further observation that the petitioner should be given at least two more chances to appear before the Selection Board with age relaxation to the extent of ad-hoc service rendered by him. The complaint in this case is that though vacancies exist, the petitioner has been dis-engaged and he is not being given work as ad-hoc Scientist. The petitioner has not been able to point out a single instance where any rank outsider has been appointed as ad-hoc Scientist after the direction was issued by the Tribunal on 1.10.1991. Hence, the petitioner cannot make any grievance about it. It is, however, maintained by the learned counsel for the petitioner that attempts are being made to

fill up these vacancies. We do not find any direction in the judgment curtailing the right of the respondents to fill up the vacancies on regular basis. The advertisement produced at page 12 of the paperbook is of December, 1990 issued for regular recruitment, prior to the pronouncement of the judgment of the Tribunal. Our attention was also drawn to another advertisement dated 28.1.1992 in which applications are invited for regular recruitment. It is open to the petitioner to offer himself as a candidate and compete with others for the regular posts. It is obvious that the object of regular selection is to secure the best among the available candidates for the job. The Tribunal has not stated that any preference should be given to the petitioner in the matter of regular recruitment. It, therefore, follows that the petitioner has opportunity to make application and compete for the post. As that opportunity is still available, there is no reason why he should not avail that opportunity.

2. We, therefore, see no good grounds to take action under the Contempt of Courts Act. The petition is accordingly dismissed.

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

(V. S. MALIMATH)
CHAIRMAN

as
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17.2.1992