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- CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.439/2004

Friday, this the 20th day of February, 2004

Hon'ble Shri Justice V. S. Aggarwal, Chairman
Hon'ble Shri S. K. Naik, Member (A)

Smt. Sunita Sharma, w/o Shri Manoj Sharma
r/o 1/3202, Mandoli Road,
Ram Nagar, Shahdra, Delhi-32

..Applicant

(By Advocate: Shri S.R.Singh)

Versus

1. Govt. of NCT of Delhi through
the Chief Secretary
Delhi Sachivalaya
IP Estate, New Delhi-2
2. Mr. D.M.Khaneta (by name)
Add1. Secretary (Health)
Govt. of NCT of Delhi
Delhi Sachivalaya, IP Estate, New Delhi-2
3. The Secretary
Delhi Sub-ordinate Service Selection Board
Karkardooma, Delhi-32

..Respondents

O R D E R (ORAL)

Justice V.S.Agarwal:

By virtue of the present application, the applicant assails the following order dated 4.6.2003 purported to have been passed by the respondents (Annexure A-I):-

"The dossier of ms. Sunita Rani, who was selected by DSSSB for the post of Lab. Asstt. was sent to Lok Nayak Hospital for examining the eligibility of candidate for the above said post as per approved R.Rs. After having been examined, it is reported that the Diploma in M.L.T. is not recognised by the Directorate of Technical Training/AICTE/ G.O.I/State Government.

In view of the above, the dossier of Ms. Sunita Rani is hereby returned to your office as her candidature is not covered under the existing R.Rs.

Kindly acknowledge the same please."

(Signature)

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2. Some of the relevant facts would make the question in controversy clear. The applicant has applied in pursuance of the Advertisement and had taken the competitive test. The result had been declared on 14.2.2003.

3. Learned counsel for applicant informs us that on basis of the records the persons holding similar educational qualifications, as the applicant possesses, granted the provisional appointment latter which has been denied to the applicant. In this regard, support is being taken from such letter purported to have been issued to others.

4. The applicant has submitted a representation and a legal notice to the respondents, a copy of which is Annexure A-8 dated 8.12.2003, but he has not received any reply.

5. At this stage when rights of the respondents are not likely to be affected, we deem it unnecessary to issue a notice to show cause while disposing of the present petition.

6. It is directed that respondent No.2 would consider the said representation of the applicant and in light of the facts asserted, pass an appropriate speaking order within two months of the receipt of a copy of the present order and communicate to the applicant.

7. OA is disposed of.

Naik
-(S. R. Naik)
Member (A)

Ag
(V. S. Aggarwal)
Chairman

/sunil/