

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
* * *

OA 1006/92

23.04.1992

SH. G.S. CHAUHAN

...APPLICANT

VS.

C.S.I.R.

...RESPONDENT

CORAM :

HON'BLE SHRI J.P. SHARMA, MEMBER (J)
HON'BLE SHRI B.N. DHOUNDIYAL, MEMBER (A)

FOR THE APPLICANT

...SH. ASHOK AGGARWAL

FOR THE RESPONDENT NO.1

...SH. AJIT SINGH
DHOPIA

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?

ORDER (ORAL)

(DELIVERED BY HON'BLE SHRI J.P. SHARMA, MEMBER (J))

The learned counsel for the official respondent with all humility at his end stated that there has been some bonafide error and omission from the side of the applicant as well as the administration. It is stated by the learned counsel that they are making ~~attempts~~ ^{amends} for the inadvertent ^{ance} by holding in the near future within a period of two or three months, another competitive departmental examination from the eligible persons for the post of Deputy Stores and Purchase Officer and the applicant shall be allowed if he takes a

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(X)

chance to appear in the examination. Till the result of that ensuing examination is not declared, the applicant shall not be reverted from the present post of Deputy Stores and Purchase Officer where he is working on ad hoc basis. The applicant in this case has the grievance that though he was eligible to appear in the examination conducted in February, 1992, and he has been passed over. The learned counsel for the applicant has disputed the correctness of the statement of the learned counsel for the official respondent that there was also some mistake or error on the part of the applicant. However, it is not necessary to enter into that controversy in view of the fact that the reliefs which have been claimed by the applicant are almost being allowed to him by the statement given at the Bar by the learned counsel for the official respondent.

The learned counsel for the applicant apprehended that since the persons who have been selected in the limited departmental competitive examination held in February, 1992 and those persons appeared, happened to be junior to the applicant by virtue of their joining on a regular basis on a post of Deputy Stores and Purchase Officer, will become senior as the applicant could only avail chance for the ensuing contemplated examination as given out by the learned counsel for the official respondent today. Ordinarily, the

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respondents should protect the interest of the applicant, but in case the applicant is still aggrieved on the matter of seniority, then he will be at liberty to assail that when the cause of action arises to him after due empanelment and appointment on regular basis on the said post. I think by virtue of this statement given at the bar, the OA becomes infructuous and is disposed of accordingly. In the circumstances, the parties to bear their own costs. A copy of this order be sent to the respondent No.1.

B.N. Dhoundiyal
(B.N. DHOUNDIYAL)
MEMBER (A)

J.P. Sharma
23-4-92
(J.P. SHARMA)
MEMBER (J)