

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No.1472/93

New Delhi: this the 17th day of March, 1999.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J).

Shri Mohinder Pal, UDC,  
Office of Deputy Dte. General of Works (U),  
Engineer-in-Chief's Branch,  
Kashmir House, Army Headquarters,  
New Delhi ..... Applicant.

(None appeared)

Versus

1. Union of India ,  
through  
Ministry of Home Affairs,  
Director,  
Department of Official Language,  
Lok Nayak Bhavan,  
Khan Market,  
Delhi.

2. Chairman,  
Staff Selection Commission,  
Deptt. of Personnel & Training,  
Block No.12, Kendriya Karyalaya Division,  
Lodhi Road,  
New Delhi.

3. Secretary,  
Department of Culture,  
Shastri Bhavan,  
New Delhi.

..... Respondents

(None appeared)

ORDER (ORAL)

HON'BLE MR. S. R. ADIGE VICE CHAIRMAN (A)

Applicant seeks appointment to the post

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of Junior Translator with effect from the date on which other selected candidates of 1991 batch were appointed, with all consequential benefits.

2. None appeared for either party even on second call.

3. As this OA was filed in 1993 and was listed for hearing at Serial No.10 in the regular list, we dispose it on the basis of material available on record.

4. Respondents in their reply state that Department of Official Language had sent two nominations of S/Shri Tosh Kumar Srivas and applicant Mohinder Pal vide their letters dated 10.4.92 and 30.4.92 (Annexure-A) for one vacant post of Junior Hindi Translator in the Department of Culture. Another vacancy was earmarked for Shri Sudhir Kumar, JHT who was to be transferred to CBI Ranchi through the Deptt. of Official Language. Later he had requested to cancel his transfer and his request was transferred to DDL, the Cadre Controlling Authority (Annexure-B). Meanwhile an offer of appointment was sent to Shri Tosh Kumar Srivas according to his rank position (Annexure-C), but no acceptance was received from him inspite of repeated reminders and offer was cancelled vide letter dated 8.6.93 (Ann-F). When nothing was heard from him, offer was sent to second applicant i.e. Shri Mohinder Pal on 3.8.93 (Annexure- D) who jointed duties on 17.11.93.

5. Respondents have pointed out that there was no delay in issuing the appointment letter since all the administrative formalities have to be

completed and the offer of appointment could not be sent to applicant till the cancellation of offer to Shri Tsh Kumar Srivas.

6. Under the circumstance, there is no question of discrimination and the applicant cannot claim appointment from a date earlier to that he joined the service. In this connection, we further note that there is no denial of the applicant in the rejoinder rebutting the averments made by the respondents in their reply.

7. The OA is dismissed. No costs.

*Lakshmi Swaminathan*  
( MRS. LAKSHMI SWAMINATHAN )  
MEMBER(J)

*S.R. Adige*  
( S.R. ADIGE )  
VICE CHAIRMAN (A)

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