

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No.
T.A. No.

1591/93

199

DATE OF DECISION

5-8-1993

Sh. Rajinder Kumar

Petitioner

Sh. Mahavir Singh

Advocate for the Petitioner(s)

Versus through

Lt. Governor, Delhi Admn.,
 Delhi U.O.I. & Ors.

Respondent

Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. I.K. Rasgotra, Member (A)

The Hon'ble Mr. B.S. Hegde, Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

JUDGEMENT (oral)

(delivered by Sh. I.K. Rasgotra, Member (A))

We have heard Sh. Mahavir Singh, Leamed counsel for the petitioner in regard to the admission of the O.A. The case of the petitioner is that respondent No. 5 was sponsored by the Employment Exchange in preference to the petitioner, even though he did not possess' desirable' qualifications namely, CTI training mentioned in the advertisement for the post. The advertisement enlists:-

" Essential Qualifications 1. Matriculation

(With Maths and Science for Engg. Trade only)

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2. National Trade Certificate /National

apprenticeship Certificate/certificate in the

(2)

Trade concerned from a recognised institution.

3. 3 years practical experience in the trade

concerned".

Desirable: CTI trained will be preferred.

The case of the petitioner is that he possess the essential qualifications as well as CTI training in the trade concerned, yet his name was not sponsored by the employment exchange, even though he possessed the essential and the 'desirable' qualifications. It was clarified by the Directorate of Training and Technical Education (Page 34 of the paper book) that the M.C.T.I. trained candidates should have been given preference while sponsoring the names as this is a desirable qualification for the post of Craft Instructor. The relief sought by the petitioner is that he should be appointed as Craft Instructor in place of respondent No. 5 and as he is possessing all the qualifications.

We have considered the submissions made by the learned counsel for the petitioner Sh.

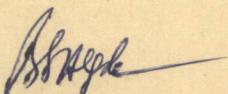
Mahavir Singh, and gone through the records carefully.

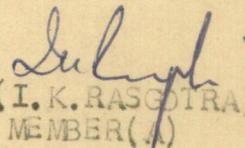
The reply given by the employment exchange to the

(3)

petitioner in response to his representation says" the names registered upto 6.11.86 only has been sent whereas your name has been registered on 28.11.88 and hence your name could not be sent to the above said Directorate".

In view of the above, we are of the opinion that the case does not merit judicial interference, as the employment exchange sponsored those persons who possessed essential qualifications and who were registered upto 6.11.86 on the other hand petitioner was registered only on 28.1.88. The petitioner cannot make a grievance of senior persons having been sponsored by the employment exchange. Accordingly we do not consider it necessary to issue notice to the respondents and finding OA devoid of merit it dismissed at the admission stage.


(B.S. HEGDE)
MEMBER(J)


(I.K. RASGOTRA)
MEMBER(A)