

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

(4)

DA No. 593/93 .. Date of decision: 29.07.93

Sh. Birender Singh Negi.. Applicant

Versus

Union of India .. Respondents

CORAM

Hon'ble Mr. J.P. Sharma, Member (J)

Hon'ble Mr. N.K. Verma, Member (A)

For the applicant .. Sh. V.S.R. Krishna, Counsel

For the respondents .. Sh. N.S. Mehta, Counsel.

JUDGEMENT (Oral)

(Delivered by Hon'ble Mr. J.P. Sharma, Member(J))

The applicant has prayed for regularisation on the post of Consultant in the office of Respondent No.2 and since he was not favoured by the respondents, he filed the application on 04.03.93 praying for the relief that the respondents be directed to engage the applicant in the post of Consultant in their office and regularise his service on the basis of his having worked for 3 1/2 years with them. The respondents, in their reply, have stated that the services of the applicant were discontinued w.e.f. 31.3.89 as there was no work on the post on which the applicant was working. They have further stated that on that post no other person has replaced the applicant or has been engaged. However, it has also averred that the

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applicant was considered for appointment for the post of Comptist but he was not eligible for the post as per the extant rules filed in the counter as Annexure R-11. We have heard the learned counsel for the parties. The learned counsel for the applicant did not contest the grant of relief denied by the respondents but made an emphatic request that taking into account the earlier service rendered by the applicant, the respondents should have favoured him for appointment to the post of Comptist. The learned counsel for the applicant did not dispute the averment made in para 4.4 of the counter. The applicant was not found eligible as per the extant Recruitment Rules for the post of Comptist in the office of the Economic Adviser. Since, the relief has not been claimed in this application the same cannot be considered. If the applicant wants to be appointed to the post of Comptist, he may represent and the respondents may consider his case, if he is eligible for the said post. The application is dismissed as devoid of merit. No order as to costs.

N. K. Verma
(N.K. Verma) 29.7.93
Member (A)

J. P. Sharma
(J.P. Sharma)
Member (J)