

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1288 of 1998

Allahabad this the 15th day of February, 2005

Hon'ble Mr. Justice S.R. Singh, V.C.
Hon'ble Mr. S.C. Chaube, Member (A)

Remount Training School and Depo Karamchari Union
Hempur, Udhampur Singh Nagar through its General Secretary
Anand Dass.

Applicant

By Advocate Shri R.K. Nigam

Versus

1. Union of India through its Defence Secretary, Ministry of Defence, Government of India, New Delhi.
2. The Commandant Remount Training School and Depot, Hempur, Udhampur Singh Nagar.

Respondents

By Advocate Shri D.S. Shukla

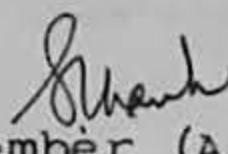
O R D E R (Oral)

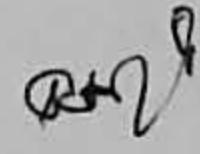
By Hon'ble Mr. Justice S.R. Singh, V.C.

Impugned herein is the order dated 09.11.1998, which pertains to appointment of 62 posts of Sayees at Hempur, Udhampur Singh Nagar. It has been mentioned in the order that only those candidates would be considered in the interview, which is scheduled to be held on 23.11.1998, whose names would be sponsored by the Employment Exchange. Such provision is obviously violative of Article 14 and 16 of the Constitution but the O.A. instituted by Remount Training School and Depo Karamchari Union, Hempur is liable to be

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rejected firstly on the ground that concerned individuals who could otherwise have been eligible for being considered, have not approached the Tribunal and the O.A. has been instituted by the unregistered Union not duly recognised by the department, and secondly on the ground that pursuant to the order dated 09.11.1998 selection and appointments have already been made and such selection/appointments are not under challenge in the present case. Accordingly, the O.A. fails and is dismissed. Parties to bear their own cost.


Member (A)


Vice Chairman

/M.M./