

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 01st day of OCTOBER 2004.

Original Application no. 1127 of 2004 (U).

Hon'ble Mr. Justice S.R. Singh, Vice-Chairman
Hon'ble Mrs. Roli Srivastava, Member A

1. Chandresh Gaur, S/o G.R. Gaur,
R/o 118, Krishna Nagar,
Dehradun.
2. Mukesh Singh Rawat, S/o Sri S.S. Rawat,
Brahmapur, Niranjanpur Post Master,
Distt. Dehradun.

... Applicants

By Adv : Sri R.C. Pathak

V E R S U S

1. Union of India through Secretary,
Ministry of Defence,
NEW DELHI.
2. Engineer-in-Chief,
Engineer-in-Chief Branch Kashmir House,
A.M.O. D.M.O. P.O.
NEW DELHI.
3. Chief Engineer, Central Command, LUCKNOW.
4. Chief Engineer, Bareilly Zone, BAREILLY.
5. Commander Works Engineer No. 1, DEHRADUN CANTT
6. Commander Works Engineer (Mills), DEHRADUN.

... Respondents

By Adv : Sri S. Singh

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... 2/-

O R D E R

Justice S.R. Singh, VC.

Heard Sri R.C. Pathak, learned counsel for the applicant and Sri S.K. Pandey brief holder of Sri S. Singh, learned counsel for the respondents.

2. The orders impugned herein are identically worded and were passed pursuant to the directions given by this Tribunal in OA no. 280 of 2004 and OA 281 of 2004 and are sought to be quashed on identical grounds. Hence Misc. Appl. no. 4003 of 2004 ~~is~~ allowed and the applicants are permitted to join together.

3. O.A. 280 of 2004 & OA 281 of 2004 were instituted by the applicants no. 1 & 2 respectively for issuance of direction to the respondents to declare the result of the test/interview held on 4/5.12.2000 for the post of Chawkidar/G.I. Mazdoor/Safaiwala. The applicants, it is not disputed, had appeared in the test followed by interview. The Tribunal disposed of the aforesaid OAs with the direction to decide the representations filed by the applicants by a reasoned and speaking order. In pursuance to the order passed in the aforesaid OAs, by the Tribunal, the orders impugned herein have been passed by the Competent Authority. It would appear from the impugned orders that the validity of Local Recruitment Sanction (LRS) expired during the ban on recruitment and accordingly it has been held by the Competent Authority that the post stood lapsed and, therefore, there is no question of declaring the result of the written test and interview held for the recruitment on the post in question.

(R.S.)

4. It is not disputed that the life of LRS is of 06 months, thereafter it lapses automatically. The applicants acquired no right merely on the ground that they had appeared in the written test/interview and ~~in~~ the circumstances, therefore, no exception can be taken to the impugned orders holding that since no vacancies were available the entire recruitment process stood lapsed. The applicants accordingly, have no right for declaration of result.

5. Sri R.C. Pathak, learned counsel for the applicant then submits that the Competent Authority ought to have extended the life of LRS. We are not impressed by the submission made by the learned counsel for the applicant. Extension of life of LRS cannot be claimed by a person as ~~of~~ right. No statutory provisions have been brought to our notice making it obligatory on the part of the Competent Authority to extend the life of LRS merely because it expired till the pendency of the Court's case.

6. Accordingly, in view of the above the OA lacks merit and dismissed in limine, with no order as to costs.


Member (A)


Vice-Chairman

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