

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 22nd day of January, 2004.

Original Application No. 32 of 2004.

Hon'ble Mr. Justice S.R. Singh, Vice-Chairman.

Hon'ble Mr. D.R. Tiwari, Member- A.

Krishna Kumar Singh S/o Sri Nar Bahadur  
R/o 32, Chatham Line, Ram Priya Road, Allahabad.

.....Applicant

Counsel for the applicant :- Sri Sathish Dwivedi

V E R S U S

1. Union of India through the Secretary,  
M/o Environment and Forest, Govt. of India,  
New Delhi.
2. The director, Botanical Survey of India,  
Head Quarters' Office, P-8, Brabourne Road,  
Kolkata.
3. The Joint Director,  
Botanical Survey of India, Central Circle,  
10, Chatham Line, Allahabad.

.....Respondents

Counsel for the respondents :- Sri R.C. Joshi

\_ O R D E R \_

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

By means of the O.A in hand the advertisement dated 12.12.2003 (Annexure- 1) inviting applications for appointment to the two posts of Garden Attendant is sought to be quashed. One of these two posts is reserved for ST and other for Physically Handicapped. The argument is that the posts ought to be filled by direct recruitment from open market but by means of the impugned circular they have been limited to departmental candidates.


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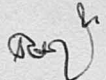
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Learned counsel for the respondents on the other hand submits that the applicant does not fall within any of the two categories for which posts are reserved and he has, therefore, no locus to challenge the impugned notification/advertisement. Learned counsel for the respondents further submits that the notification/advertisement is not limited to departmental candidates only. What is visualised in the notification/advertisement is that intending departmental candidates may also apply for the post through their respective Heads of office provided they satisfy the prescribed qualification.

2. Having heard counsel for the parties, we are of the view that since the applicant is neither ST nor Physically Handicapped and, therefore, he has no locus to challenge the impugned advertisement. It is not necessary to go into the question whether the advertisement/notification has limited the eligibility to departmental candidates only.

3. The O.A in the circumstances is dismissed in-limine with no order as to costs.

  
Member- A.

  
Vice-Chairman.

/Anand/