

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 11th day of November, 2004.

Original Application No. 780 of 2004.

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

Smt. Neelam Kumari W/o Rajeev Kumar Verma
R/o House No. 1/1431/18 A/21A, New Sharda Nagar,
Darbari Lal Gali, Saharanpur- 247001 (UP).

.....Applicant

Counsel for the applicant :- Yashwant Singh

V E R S U S

1. Union of India, M/o Defence through its Secretary,
New Delhi.
2. H.Q., Western Command, Engineer Branch,
Chandimandir- 134107.
3. The Chief Engineer, H.Q, Western Command,
Engineers Branch, Chandimandir-134107.

.....Respondents

Counsel for the respondents :- Sri Saumitra Singh

O R D E R

By Hon'ble Mr. Justice S.R. Singh, VC.

Despite opportunity CA has not been filed by the respondents. We have perused the application and proceed to decide the same on the basis of averments therein.

2. It appears that the applicant was interviewed in March, 1983 for appointment as L.D.C at Shimla and in that connection vide letter dated 13.01.1987 (Annexure-1) she was asked to confirm as to whether she was willing to serve with this department, with ^{the} ^{further stipulation in} case of willing ^{no} to serve with this department, she was required to complete the attached form and return the same to reach the Headquarter not later than January, 1987 duly

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signed by a Magistrate failing which her name would be deleted from the approved list. It is alleged that the applicant completed the formalities and returned the form duly signed by a Magistrate within the stipulated time: but no appointment order was issued whereupon the applicant preferred a representation with regard to her claim for appointment as L.D.C in M.E.S. By letter dated 26.09.1994 (Annexure- 3) she was informed that as per Government policy there was a ban on recruitment since 1987 hence no fresh recruitment was being done. The applicant, it appears, made another representation in February, 2003 in response to which she was asked/05.03.2003 to submit the particulars of her earlier representations and also copies of the letters issued from the office on 13.01.1987 and 26.09.1994 referred to in Annexure- 4). The instant O.A came to be instituted on 23.07.2004 i.e. after expiry of period of one year from the date of receipt of letter dated 05.03.2003. Counsel for the applicant has also submitted that one Smt. Bunty, who has secured less mark than the applicant, was appointed. The date and time etc. of appointment of Smt. Bunty has not been indicated anywhere in the O.A.

3. Having regard to the fact that the interview was held way back in the year 1983 but the appointment could not be made because of the imposition of ban on recruitment and also the mere approval for appointment does not confer any right to the individual, we are of the view that no relief can be granted by the Tribunal at this belated stage. The O.A, in the circumstances, is dismissed with no costs.


Member-A.


Vice-Chairman.

/Anand/