

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 19TH DAY OF FEBRUARY, 2001

Original Application No.1489 of 1994

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.S.DAYAL, MEMBER(A)

Hari Ram, a/a 29 years, son of
Shri Pune Ram, R/o village and post
Makarbai, District Hamirpur.

... Applicant

(By Adv: Shri R.K.Nigam)

Versus

1. Union of India through General Manager
Central Railway, Bombay V.T.
2. Divisional railway manager
Central Railway, Jhansi.

... Respondents

(By Adv: Shri A.V.Srivastava)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this application u/s 19 of A.T.Act 1985 the applicant has prayed for a direction to the respondents to issue order of appointment within a specified time in favour of applicant appointing him as diesel cleaner and with all consequential benefits. Before filing this OA applicant had filed OA 731/90 for the same dispute which was disposed of by order dated 22.6.1993 with the following direction.


"In these circumstances, respondents are directed to consider the case of the applicant and in case any person placed below the merit/selection list in the general category has been given appointment the applicant should also be given appointment.

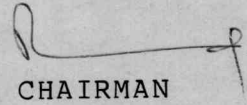
In case any reserve candidate place below the applicant was given appointment the applicant cannot make a claim over them as reserve candidates stand on different footing. The application is disposed of as above. No order as to costs."

As the applicant has not been appointed he has again filed this OA for the direction mentioned above. In para 4.12. and 4.13 applicant claimed that persons junior to him have been appointed in clandestine manner but he could not give name of any such persons. Counter affidavit has been filed. In para 7 whereof it has been clearly averred that no person junior to the applicant had been appointed from the panel.

In these circumstances, we are not satisfied that applicant is entitled for any relief. He could not have any grudge against the appointment of candidates belonging to ~~his~~ ^{reserve} category.

The application has no merit and is dismissed accordingly. No costs.


MEMBER(A)


VICE CHAIRMAN

Dated: 19.2.2001

/Uv/