

# CENTRAL ADMINISTRATIVE TRIBUNAL

## AHMEDABAD BENCH

R.A.NO. 39 OF 1995 in  
 O.A. NO. 602 OF 1993.  
~~T.A. NO.~~  
 XXXXXXXXXXXX

DATE OF DECISION 16-11-1995.

Shri Manoj Kumar R. Shah. Petitioner

Shri P.K. Handa Advocate for the Petitioner (s)

Versus

Union of India and ors. Respondent

\_\_\_\_ Advocate for the Respondent (s)

CORAM

The Hon'ble Mr. N.B. Patel

∴ Vice Chairman

The Hon'ble Mr. K. Ramamoorthy

∴ Member (A)

### JUDGMENT

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

No

Shri Manoj Kumar R. Shah,  
27/B, Govindrao Park,  
Outside Panigate,  
Ajwa Road,  
Baroda.

...Applicant.

(Advocate : Mr.P.K.Handa)

Versus

1. Union of India,  
Ministry of Communication,  
Department ~~for~~ of Posts,  
to be served through :  
Director General, Posts,  
Dak Bhavan, Sansad Marg,  
New Delhi.
2. Post Master General,  
Baroda Region,  
Pratapgunj,  
Baroda - 390 002.

...Respondents.

(DECISION BY CIRCULATION)

O R D E R

R.A.NO. 39 OF 1995 in  
O.A.NO. 602 OF 1993.

Date : 16~~th~~11-1995.

Per : Hon'ble Mr.K.Ramamoorthy : Member(A)

The Review Application has been filed against the order passed on 4-7-1995 on the ground that one of the arguments raised regarding possibility of a new post being sanctioned has not been taken into account.


The O.A. pertained to the issue as to whether an adhoc appointment made against a reserved vacancy should yield place to appointment of a regular incumbent as and when a reserve candidate is available. The O.A. has been decided on the specific point of <sup>the</sup> a vacant seat <sup>being for</sup> of a reserved candidate. There is no need to mention about additional post becoming available in an adjudication of <sup>this issue</sup> the department. The question of the ~~adhoc~~ candidate being


*an ad hoc*

appointee against that vacancy was not indispute at all.  
The adhoc appointment does not give any right to future  
appointment even otherwise, <sup>though</sup> ~~that~~ it is open to the  
respondent department to give due weightage to this factor  
as and when a regular appointment is made.

Thus, there is no error apparent in not  
referring to such a contingency.

Review Application is therefore, rejected.

  
(K. Ramamorthy)  
Member(A)

  
(N.B. Patel)  
Vice Chairman

ait.