

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH,
J_O_D_H_P_U_R.

Date of Order : 07.08.2000

O.A. No. 213/1995

Gautam Bhattacharya S/O Late Shri Dharendra Narayan Bhattacharya, aged 32 years, Chhabili Ghati, Khatri Mohalla, Bikaner. At present working as LOWER DIVISIONAL CLERK in the office of Respondent No.2.

... Applicant

Vs

1. Union of India through Defence Secretary, Ministry of Defence, Government of India, New Delhi.
2. Station Commander, 46 Wing, Air Force, C/O 56 A.P.O.
3. Squadron Leader-cum-Senior Accounts Officer (Presiding Officer Interview Board) 46 Wing, Air Force, C/O 56 A.P.O.
4. Kumari Iti Satya D/O Late Shri S.P. Sharma R/O III/7 IGNP Colony, Bikaner.

... Respondents

Mr. M.R. Singhvi, Counsel for the Applicant.

Mr. Vinset Mathur, Counsel for the Respondent No.1 to3.

Mr. J.K. Kaushik, Counsel for the Respondent No.4.

CORAM :

Hon'ble Mr. Justice B.S. Raikote, Vice Chairman

Hon'ble Mr. Gopal Singh, Administrative Member

O_R_D_E_R

(PER HON'BLE MR. GOPAL SINGH)

In this application under Section 19 of the Administrative Tribunals Act, 1985, applicant Gautam Bhattacharya has prayed for quashing the impugned

Gopal Singh

Contd....2

order dated 19.11.1993, appointing Miss Iti Satya as Senior Translator (Hindi) and to consider the case of the applicant for appointment to the post of Senior Translator (Hindi).

2. Undisputed facts of the case are that the respondent-department notified one vacancy of Senior Translator (Hindi) to the Employment Exchange. The Employment Exchange sponsored 20 candidates including Miss Iti Satya. Applicant, a departmental candidate also applied for the said post. However, the selection Board declared him ineligible as he did not have the requisite experience. Of the 20 candidates sponsored by the Employment Exchange, only 10 candidates appeared for the interview and Miss Iti Satya was selected and appointed as Senior Translator (Hindi) vide order dated 19.10.1993 (Annexure A/1). On a complaint by the applicant that Miss Iti Satya had produced bogus certificate of experience, the respondents investigated the matter and terminated the service of Miss Iti Satya on 30.8.1995. The applicant is working as L.D.C. at Air Force Station, NAL. It is also seen from records that the applicant had also not submitted any experience certificate of Hindi/English translation alongwith his application. It is nowhere stated in his application that he was engaged on translation work. Thus, we do not consider it appropriate to issue any direction to respondents to consider the case of the applicant for the said post. Since the wrong appointment made by the respondents has been terminated the

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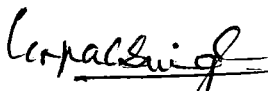
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


respondents would be free to fill up the post as per rules, and applicant would also be free to contest for that post. Thus, the O.A. does not survive and deserves to be dismissed.

3. The Original Application is accordingly dismissed.

4. Parties are left to bear their own costs.


(GOPAL SINGH)
Adm. Member


(B.S. RAIKOTE)
Vice Chairman

J



R/copy
1/9/8

R/copy
on 22/18

Copy of order sent to court
for Applicant vide No 254
dated 22.8.2007

A.D. Kumar
form. counsel for Applicant
with s. 73
M

Part II and III destroyed
in my presence on 8.1.07
under the supervision of
section officer () as per
order dated 10/11/07

Section officer (Record)
9/1/07