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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH,
JODHPUR.

Date of Order: 22.5.95.

O.A. No.97/1995.

Sri Krishna Poonia ... Applicant.

VERSUS.

Union of India & Ors. ... Respondents.

Mr. B.K.Thanvi- Counsel for the applicant.

Mr. Sunil Joshi- Brief holder for

Mr. J.P.Joshi- Counsel for the respondents.

CORAM:

Hon'ble Mr. N.K.Verma- Administrative Member.

Hon'ble Mr. Rattan Prakash- Judl. Member.

PER HON'BLE MR. N.K.VERMA :

Heard Shri B.K.Thanvi, learned counsel for the applicant.

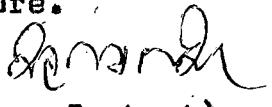
2- The applicant in this O.A. has been seeking a direction from the Tribunal to quash the notification dated 16.12.94(Annexure A/1) under which applications have been invited for the post of E.O.P.M. against which the applicant ~~is~~ already working and has also applied for regular appointment in terms of the order in O.A.No.735/88 delivered on 15.9.94. The learned counsel for the applicant was not able to bring out the cause of action at this stage as his services have not been terminated as unselected candidate

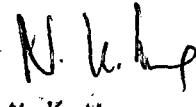
N.K.Verma

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in order to relieve him so far. He is pressing for his regularisation in the post against the appointment given to him in 1987, which was ~~given~~ purely on adhoc and temporary to relieve the E.D.P.M. working in that post. The impugned order at Annex.A/1 is just a notification and not an order of appointment. The applicant has already made an application which will be considered alongwith the other applications depending on the qualifications and other parameters given therein.

a- Learned counsel for the respondents Shri Sunil Joshi brought to our notice that educational qualifications for the post of E.D.P.M. has now been made ~~the~~ "matriculate" as per the notification dated 24.4.93 and as such the applicant has no claim on the post on the basis of this ~~prescribed~~ qualification. The O.A. at this stage seems to be totally pre-mature as no cause of action has arisen so far. The order of this Tribunal has yet to be implemented by the respondents wherein the applicant's candidature will be given due consideration as per his qualifications. There is no case for any interference by this bench at this stage. The learned counsel for the applicant assures that the respondents, however, will consider his candidature in terms of the notified rules applicable for appointments. The O.A. is, therefore, dismissed as pre-mature.


(Rattan Prakash)
Member (J)


(N.K.Verma)
Member (Adm.)

V.S.

Received copy
Supervisor

25/5/91

Read copy
26/5/91

Part II and III destroyed
in my presence on 26/5/91
under the supervision of
section officer () as per
order dated 4/5/91

Section officer (Record)