

**CENTRAL ADMINISTRATIVE TRIBUNAL,
JODHPUR BENCH, JODHPUR**

ORIGINAL APPLICATION NO. 79/2010

Date of Order: 24.09.2010

**CORAM:
HON'BLE DR. K.B. SURESH, JUDICIAL MEMBER**

Somdutt Sharma S/o late Shri Jagdish Chandra Sharma, aged about 25 years, R/o C/o H.C. Sharma, Padampur Road, Srigajsinghpur, District Sri Ganganagar (Raj.) ward of Ex-driver in the office of Assistant Station Director, All India Radio, Suratgarh (Raj.).

....Applicant

Mr. S.K. Malik, counsel for applicant.

VERSUS

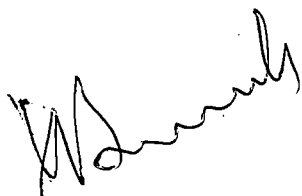
1. The Union of India through the Secretary, Ministry of Information and Broadcasting, Shastri Bhawan, New Delhi.
2. The Director General, All India Radio, Akaswani Bhawan, Parliament Street, New Delhi-1.
3. The Station Director, All India Radio, Jaipur, Rajasthan.
4. The Assistant Station Director, All India Radio, Suratgarh (Raj.).

....Respondents.

Mr. Kuldeep Mathur, counsel for respondents.

**ORDER
(Per Dr. K.B. Suresh, Judicial Member)**

Limiting of compassion on the ground of non-availability of posts under 5% quota as adjudged by the Hon'ble Apex Court is the focus of the case. After assessment of the level of penury of the applicant and his suitability, the respondents would submit that the applicant has been placed at sl. no. 3, but thereafter due to non-availability of existing vacancies, he could not be

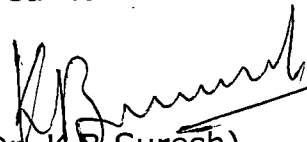




accommodated. The vacancies, of course, are a rotating factor. If the vacancy is not available for one year, surely vacancies are available on the next year. Therefore, the following orders are issued:

The applicant shall be considered for three consecutive opportunities from vacancies of 09.09.2003 onwards, which is the date of his application. If a third vacancy be found then appointment shall be offered to the applicant as is available in the rules & regulations. The opportunities shall be assessed after vacancy position is found. But earnest approach shall be made for the same.

The O.A. is, therefore, allowed to the extent indicated above. No order as to costs.


(Dr. K.B. Suresh)
Judicial Member

nlk

दिनांक 17/11/2018 के आदेशानुसार
मेरी उपस्थिति में दिनांक 11/11/2018
को प्राग-III व III-IV किया गया।

अनुपम लाल
केन्द्रीय प्रशासनिक अधिकारी
जोधपुर न्यायपीठ, जोधपुर