

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No. 420 of 1995

Friday this the 24th day of March, 1995.

CORAM

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR. P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. P.K. Ibrahim, Stenographer Grade III,
Directorate of Agriculture,
Kavaratti, residing in Purakkattu
House, Kadamat Island,
Union Territory of Lakshadweep. Applicants
2. B.Badaruddin, Stenographer Gr.III,
Pradesh Council Secretariat,
Kavaratti permanently residing
in Biriymada House,
Kadamat Island, Union Territory
of Lakshadweep.

(By Advocate Mr. K.A.Abdul Gafoor)

Vs.

1. The Union Territory of Lakshadweep,
Kavaratti, represented
by its Administrator,
2. The District Employment Officer,
Union Territory of Lakshadweep,
Kavaratti. Respondents

(By Advocate Mr. M.V.S.Namboothiri)

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

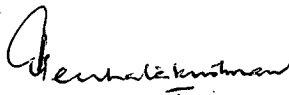
Applicants seek to restrain respondents from abolishing the posts mentioned in A3. By A3 dated Nil it was decided to fill up the posts of Typewriting Instructors in the scale of Rs.1200-30-1560-EB-40-2040 and willingness of eligible officials was ascertained. Applicants submitted their willingness and waited for the outcome. It is said that by inaction of the respondents, the posts will cease to exist after 31.3.95.

Hence the prayer. We do not think that we will be justified in issuing a direction to keep a post open or to create a post or not to abolish it. The broad principles stated in C.P.D.Nayar Vs. State of Kerala AIR 1974 SC 1343 and State of Haryana Vs. Sri Desraj Sangar, AIR 1976 SC 1199 govern the matter. We find no legally enforceable vested right in an employee to get a post filled-up and to get himself appointed.

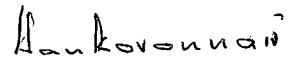
2. That apart, respondents may consider whether by efflux of time they should allow a post to be abolished, when not so long ago, they considered the post necessary.

3. With this observation, we dismiss the application. No costs.

Dated the 24th day of March, 1995.



P.V.VENKATAKRISHNAN,
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

List of Annexures

Annexure A3: True copy of Circular F.No.12/32/93-services issued by the 1st respondent to all Heads of Offices at Kavaratti.