

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. NO. 617 OF 2011

Friday, this the 17th day of August 2012

CORAM:

HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

Beegum Farsana F.M
Fthima Manzil
Kalpeni Island
UT of Lakshadweep

... Applicant

(By Advocate Mr.P.V.Mohanan)

versus

1. The Administrator
U.T of Lakshadweep
Kavaratti – 682 555
2. Collector Cum Development Commissioner
U.T of Lakshadweep
Kavaratti – 682 555 ... Respondents

(By Advocate Mr.S.Radhakrishnan)

The application having been heard on 17.08.2012, the Tribunal on the same day delivered the following:

ORDER

HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER

The applicant an aspirant for the post of Deputy Surveyor applied pursuant to notification Annexure A-1 dated 01.12.2008. Annexure A-1 shows that one vacancy was notified. In the check list eventually published shows the applicant has been awarded 37.40 points and arrayed second in the merit list. Thus he is at Sl.No.1 in the waiting list but the selected candidate has already been appointed. It is contended that subsequently another vacancy has arisen and therefore the applicant being the first in the waiting list, he should be appointed. We are not agreeing to this contention.

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When selection procedure is complete in respect of the vacancy already notified, selection from the same list for an unnotified vacancy is impermissible under law.

2. In the above circumstance, we find no merit in the OA and the same is dismissed. No costs.

Dated, the 17th August, 2012.



K GEORGE JOSEPH
ADMINISTRATIVE MEMBER



JUSTICE P.R.RAMAN
JUDICIAL MEMBER

VS