

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No.288 of 1996

Friday, this the 22nd day of March, 1996

CORAM

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR P V VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Biju Babjan,
Research Associate, Entomology Section,
Central Plantation Crops Research Institute,
Research Centre, Palode,
Thiruvananthapuram District.

.. Applicant

By Advocate Mr K.G. Cletus.

Vs.

1 The Director, Central Plantation Crops
Research Institute, Kasaragod, Kudlu P.O.

2 Sreekala, Research Associate,
Nematology Department, Central Plantation
Crops Research Institute, Regional Station,
Kayamkulam, P.O. Krishnapuram- 690533.

3 P.R. Lekha Kumari,
Research Associate, Nematology Department,
Central Plantation Crops Research Institute,
Regional Station, Kayamkulam,
Kayamkulam P.O.

4 Lovely, Research Associate, Nematology
Department, Central Plantation Crops
Research Institute, Regional Station,
Kayamkulam, Krishnapuram P.O.

.. Respondents

By Advocate Mr C .N. Radhakrishnan.

The application having been heard on 22nd March 1996,
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant seeks a direction to first respondent to
appoint him as Research Associate in the Central Plantation
Crops Research Institute. He submits that he had made an

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application for the post, that he had been interviewed, that he had been ranked as the second in the rank list and that the first in the rank list has declined appointment. It is well settled that inclusion in a select list does not confer a right to appointment. Quite apart from that, respondents state in A-3 order, that applicant was appointed under them in a time bound scheme, "Biological Suppression of Proutista moesta with particular reference to Paraphylax", that the appointment is for three years from 8.8.1994, and that the purpose for which he is appointed will be defeated, if he is to be taken out of it.


2 While an official has the right to advance his career prospects, it cannot always be at the cost of the employer. When an official is employed there is a measure of quid pro quo. The organisation also expects something in return. Any way, we are not aware of the conditions of appointment nor the conditions stipulated in the notification calling applications for the post of Research Associate, as applicant has not chosen to produce these before us.

3 In the absence of any legally enforceable right in the applicant to get an appointment, merely by reason of figuring in a Select List, he cannot be granted an appointment.

4 We dismiss the application, making it clear that we have not dealt with the other half of A-3 order, which deals with proposed disciplinary proceedings against applicant. No costs.

Dated the 22nd March, 1996.


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

LIST OF ANNEXURE

1. Annexure A3: True copy of Memorandum No.F.7(2) PLD (BB)/95-
Conpl. dt. 5.1.1996 issued by the Director, Central
Plantation Crops Research Institute, Kasaragod
1st respondent to the Applicant.

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