

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 412 OF 2011

Friday, this the 3rd day of June, 2011

CORAM:

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

Giby Rajappan
Night Watchman
Office of the Registrar of Companies
BMC Road, Thrikkakara PO
Ernakulam District – 682021
Residing at CPWD Quarters
Block No.XIII, Quarter No.B-35
Kunnumpuram, Kakkanad PO
Ernakulam District – 682 030

... Applicant

(By Advocate Mr. TCG Swamy)

versus

1. Union of India represented by the Secretary
to the Government of India]
Ministry of Corporate Affairs
New Delhi – 110 001
2. The Regional Director (Southern Region)
Office of the Regional Director
Ministry of Company Affairs
Shastri Bhavan, Block No.1
V Floor, No.26, Haddows Road
Chennai – 600 006
3. The Registrar of Companies
Office of the registrar of Companies
1st Floor, Company Law Bhavan
BMC Road, Thrikkakara PO
Ernakulam District – 682 021 ...

Respondents

(By Advocate Mr.Sunil Jacob Jose, SCGSC)

The application having been heard on 03.06.2011, the Tribunal on the same day delivered the following:

ORDER

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

The applicant impugns Annexure A-1 notification to the extent it invites applications for appointment to the cadre of Peon from open market in preference to the transfer and absorption of persons like the applicant. Inter-alia

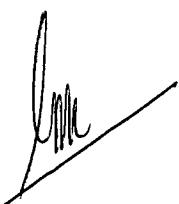


it is contended that the said method for appointment from the open market is arbitrary and contrary to the principles and policies to be followed. Accordingly, it is prayed that Annexure A-1 be quashed.

2. Mr.Sunil Jacob Jose, the learned SCGSC on written instructions submits that the Office of the Regional Director, Southern Region, Chennai has filed a letter dated No.1(55)/2011 dated 26.05.2011 informing the field offices in the Southern region including that office that Ministry has desired that all requisition made to Staff Selection Commission / Employment Exchange in connection with the recruitment of 'B' & 'C' category staff (except JTA and Official Language post) may be withdrawn with immediate effect and directed to withdraw the requisitions sent to the Local Employment Exchange for direct recruitment to the post of "Night Watchman / Peon " as the case may be and that steps were taken to stop the recruitment in question. Mr.Sunil Jacob Jose submitted that subsequently the notification has already been withdrawn.

3. In the light of the above submission, the grievance of the applicant stands redressed by the withdrawal of the notification as aforesaid and at this stage, the OA has become infructuous. OA is closed as infructuous. No costs.

Dated, the 3rd June, 2011.



K GEORGE JOSEPH
ADMINISTRATIVE MEMBER



JUSTICE P.R.RAMAN
JUDICIAL MEMBER

vs