

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

O.A.1205/96

MONDAY , this the 23rd day of DECEMBER 1996

CORAM:

HON'BLE SHRI B.S.HEGDE, MEMBER(J)

HON'BLE SHRI M.R.KOLHATKAR, MEMBER(A)

P.David,
C/o.K.P.Gopinathan,
B.S.C.(South),
Furniture Yard,
Wanowrie Road,
Pune - 411 040.

By Advocate Ms.Neelima Gohad for
Mr.S.P.Saxena

.. Applicant

-versus-

1. The Union of India
through
The Secretary,
Ministry of Defence,
South Block,
New Delhi - 110 011.
2. The Commandant,
National Defence Academy,
P.C. NDA Khadakwasla,
Pune 411 023. .. Respondents

The application having been heard on
23rd December,1996, the Tribunal on
the same day delivered the following:

-: O R D E R :-

(Per B.S.Hegde, Member(J))

The only prayer made in this O.A. is to direct the respondents to consider the case of the applicant to the post of Carpenter and joiner on regular basis, if new appointments are being made, by relaxing his age limit. It is stated that the applicant has been ^{employment} ~~in~~ with respondent No.2 w.e.f. 31-5-1979 to 16-7-1983 intermittently working in the capacity as Carpenter/Joiner with breaks in between. At the time of his first employment he was 24 years. Applicant's service

has been terminated in the year 1983 because he has been taken for a particular job and as and when work is not available his service was discontinued.

Applicant states that there are regular vacancies available with respondent No.2 and they are filling up the vacancy through Employment Exchange and he ~~should~~ also be considered for appointment against the vacancies in preference to others from the Employment Exchange.

2. The question of regularisation of his service would come only if he has got service. Firstly his name should be sponsored through Employment Exchange then only his ~~name~~ can be considered by the respondent department. Such is not the case here. Besides the applicant is overaged. Relaxation of age is not within the competence of the respondents.

3. Considering the overall case of the applicant we are of the view, that this case is hopelessly barred by ~~limitation~~ time and it is for the applicant to see whether his ~~name~~ can be sponsored through the Employment Exchange. In the circumstance, there is no merit in the application the same is dismissed with no order as to costs.

M.R.Kolhatkar
(M.R.KOLHATKAR)
Member(A)

B.S.Hegde
(B.S.HEGDE)
Member(J)