

CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH.

Original Application No.37/2001

Thursday, this the 12th day of September, 2001.

Hon'ble Shri Justice Birendra Dikshit, Vice-Chairman,
Hon'ble Shri M.P.Singh, Member (A).

R.Ramakrishnan,
P-163/4, MES Key Pers. Quarters,
Air Force Station,
Kolshet Road,
Thane - 400 607.
(By Advocate Shri P.A.Prabhakaran)

...Applicant.

v.

1. Chief Engineer (Navy)
reprsenting Union of India
26, Assaye Building,
Colaba,
Mumbai - 400 005.
2. Garrison Engineer (Air Force),
Kolshet Road,
Sandoz Baug Post,
Thane - 400 607.
(By Advocate Shri R.R.Shetty for
Shri R.K.Shetty)

...Respondents.

: O R D E R (ORAL) :

Shri Birendra Dikshit, Vice-Chairman.

The applicant has filed this OA claiming following reliefs:

"A) No further action should be taken on the test or other selection process conducted on 26.11.2000 or any other date in respect of the release of vacancies effected on 24.5.2000 to the cadre of Supdt. E/M Gde. II.

B) Even if any further action has been taken no appointment be issued or candidates allowed to join as Supdt. E/M Gde. II.

C) Ad-interim relief in terms of prayer (A) and / or (B) under this para 9."

2. An affidavit sworn by A. Narasimhamurthy S.E. (SG), SO 1 (Pers/Legal), Chief Engineer Navy Mumbai has been filed by Shri

R.R.Shetty appearing for Shri R.K.Shetty Counsel for the Respondents. Paragraph 3 and 4 of the affidavit reads as follows:

"3. I say that Local Recruitment Sanction for the post of Junior Engineer (Civil), Junior Engineer (E/M), Junior Engineer (QS & C) and Supervisor BS Gde II already expired on 31st Dec. 2000. I say that all local recruitment action has been held in abeyance due to imposition of recruitment ban by Government of India, Ministry of Finance as advised by CESC Pune vide their Signal No. O 7629 dt. 01 Feb 2001. I further say that until recruitment ban is lifted by the Govt. of India, no recruitment action will be taken by the respondent.

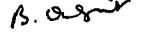
4. I further say that selection panel already made has not been approved by the competent cadre controlling authority and as such no effect to that selection panel has been given so far. As per the Engineer-in-Chief's Branch instructions issued vide their letter No.79160/RP/P/E1C (i) dt. 27.2.2001 (copy attached as Exh R-1) "all the candidates who have not considered by the Board of Officers may be re-called and allowed to appear in the Recruitment Test as and when Govt. Ban on fresh recruitment is lifted and clearance issued by this HQrs." Accordingly the panel already drawn will be revised if such contingency arises. I further say that the OA has been infructuous."

3. In view of the affidavit filed, it is apparent that all local recruitment action has been held in abeyance due to imposition of Recruitment Ban by the Government of India and the concerned Department. In view of the statement to the effect that selection panel has not been given effect to and the said selection panel has not so far been reviewed. It has also been stated that the panel already drawn will be revised if such

contingency arise. In the said circumstances, we do not consider it necessary to go into the merits of the case and keeping it open for the applicant that he can approach this Tribunal in case any contingency arise on the revision of the ^{disposal of OA.} panel. Subject to the above observations, the OA is dismissed. No costs.


(M.P.SINGH)

MEMBER (A)


(BIRENDRA DIKSHIT)

VICE-CHAIRMAN

B.