

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560038.

Dated: 19 OCT 1993

APPLICATION NO(S) 732 of 1993.

APPLICANTS: Smt.B.H.Saraswathi


RESPONDENTS: The Director, MCF,
Hassan and Others.

TO.

1. Sri.V.Narasimha Holla,
Advocate, No.317, 12th-A-Main,
75th Cross, Sixth Block,
Rajajinagar, Bangalore-560 010.
2. The Head Administration,
INSAT-I-Master Control Facility,
Department of Space, Hassan-573201.
3. Sri.M.S.Padmarajaiah,
Central Govt.Stng.Counsel,
High Court Bldg, Bangalore-1.

Subject:- Forwarding of copies of the Order passed by
the Central Administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the
ORDER/STAY/INTERIM ORDER, passed by this Tribunal in the
above said application(s) on 07-10-1993.


DEPUTY REGISTRAR
JUDICIAL BRANCHES.

gm*

Issued
for

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH : BANGALORE

DATED THIS THE SEVENTH DAY OF OCTOBER 1993

Present:

Hon'ble Mr. Justice P.K. Shyamsundar ... Vice-Chairman

Hon'ble Mr. V. Ramakrishnan ... Member [A]

APPLICATION NO.732/93

Smt. B.H. Saraswathi, Major,
W/o G. Radhakrishna,
No.312, EWS II Stage,
Basaveshwaranagar,
Bangalore-560 079.

... Applicant

[Shri V.N. Holla ... Advocate]

v.

1. The Director,
Master Control Facility [MCF],
Department of Space,
Post Box No.66,
Hassan-573 201.

2. The Head Administration,
Master Control Facility,
Department of Space,
Post Box No.66,
Hassan-573 201.

3. Union of India
by Chairman and Secretary,
Department of Space,
Anthriksha Bhavan,
Bangalore.

... Respondents

[Shri M.S. Padmarajaiah ... Advocate]

This application having come up for admission before this
Tribunal today, Hon'ble Vice-Chairman, made the following:

ORDER

1. We have heard Shri V.N. Holla for the applicant and the
learned Standing Counsel for the respondents. We direct the
application to be admitted and propose to dispose it off on merits
now that pleadings are complete and we have also heard both sides



fully. The applicant was a candidate for employment with the respondent organisation for the post of Tradesman B. She had apparently been interviewed and came to be empaneled. More or less to that effect an endorsement was sent to the applicant. The said communication at Annexure A-2 also carried a note of caution as follows: "It may please be noted that this letter does not constitute any offer or guarantee of appointment or any commitment on the part of INSAT-1 MCF."

2. Ultimately it so happened that the applicant was not selected because posts available being only three, three people above her in the select list were appointed. Under the circumstances nothing ensued from the futile endeavour of the applicant to seek placement with the respondent organisation.

3. Shri Holla urges that applicant having been empanelled the logical result was induction into the appropriate job. We see no substance in that argument. Times without number it has been held that mere empanelment will not give any right to the panelist for such placement. In this case the records indicate that posts to be filled were only three the applicant being the last in the panel, persons above her having been appointed she could not have found a position at all. We find panelists No.1, 2 and 4 were appointed following the rejection of the offer by panelist No.3. The applicant had a long way to go to reach the top her aspirations being frustrated for want of vacancies. In such circumstance, the applicant makes a futile attempt in asking us to ensure that she is also appointed. At no stage had she been promised an appointment. Annexure A-2 makes this clear as pointed out earlier that merely being in the panel does

not give her a vested right for appointment. Looked from any angle there is no merit in this application which therefore fails and is dismissed. No costs.

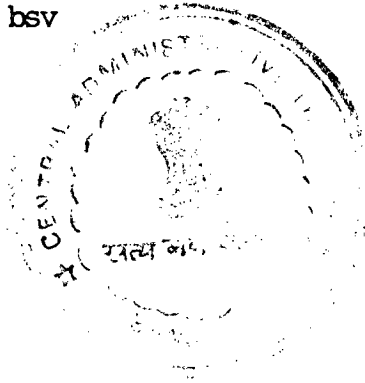
Sd-

MEMBER [A]

Sd-

VICE-CHAIRMAN

bsv



TRUE COPY

[Handwritten signature]
19/10/93

SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE