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CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
MUMBAI

O.A. No.230/94

THIS THE 24TH DAY OF JUNE, 1999.

HON'BLE MR.JUSTICE K.M.AGARWAL, CHAIRMAN
HON'BLE MR.R.K.AHOOJA, MEMBER(A)

1. Sambhaji Ganpat Mohite,
aged about 31 years
presently residing at and
post Barababhali, Post Nimboli,
Dist- Ahmednagar.
2. Sudam Jagannath Waghaskar
aged about 31 years
C/o Rekha Dasare, Advocate
6536, Laxmi Karanja, Ahmednagar.

.... Applicants

(BY ADVOCATE SHRI B.RANGANATHAN)

Vs.

1. The Union of India through
the secretary,
Ministry of Defence,
South Block,
New Delhi.
2. The Chief Engineer
'Southern' Command, Pune
3. The Commander Works Engineer,
(In side Fort), Ahmednagar.
4. The Garrison Engineer
Office of the Garrison Engineer
(In Side Fort),
Ahmednagar.

... Respondents

(BY ADVOCATE SHRI R.K.SHEETY)

ORDER (ORAL)

JUSTICE K.M.AGARWAL:

By this O.A., the applicants have made a prayer for directing the respondents to appoint them against the posts of Masons.

2. It is not disputed that the applicants were interviewed on 9.8.1983 for the posts of Masons but they could not get appointment and, therefore, this O.A. has been filed. It is opposed.


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3. The learned counsel for the respondents pointed out that the first applicant was not selected and, therefore, no question of giving him any appointment arises. In so far as the second applicant Jagannath Waghaskar is concerned, he was sent appointment letter but he did not report or joined his duties and, therefore, the next man below him in the select list was called and given appointment. In the written statement in paragraph the respondents have specifically stated this fact. Under the circumstances, we are of the view that the applicants are not entitled to any relief in this O.A.

4. In the result, this O.A. fails and it is hereby dismissed, but without any order as to costs.


(K.M.AGARWAL)
CHAIRMAN


(R.K.AHUJA)
MEMBER (A)