

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 240 OF 1998.

Date of Decision : 18.01.1999.

Tukaram S. Hagwane, Petitioner.

In Person, Advocate for the
Petitioner.

VERSUS

Union Of India & 2 Others, Respondents.

Shri R. R. Shetty for
Shri R. K. Shetty, Advocate for the
Respondents.

CORAM :

Hon'ble Shri Justice R. G. Vaidyanatha,
Vice-Chairman.

Hon'ble Shri D. S. Baweja, Member (A).

(i) To be referred to the Reporter or not ?

(ii) Whether it needs to be circulated to other
Benches of the Tribunal ?

R. G. Vaidyanatha

(R. G. VAIDYANATHA)
VICE-CHAIRMAN.

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CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 240 OF 1998.

Dated this Monday, the 18th day of January, 1999.

CORAM : HON'BLE SHRI JUSTICE R. G. VAIDYANATHA,
VICE-CHAIRMAN.

HON'BLE SHRI D. S. BAWEJA, MEMBER (A).

Tukaram S. Hagwane,
Peon,
Residing at -
Ghorwad, Tal. Sinner,
Dist. Nasik.

(In Person).

... Applicant

1. Union Of India,
Ministry of Defence,
New Delhi through
Chief Engineer,
HQ Southern Command,
Pune - 1.

2. The Chief Engineer,
Pune Zone,
Pune - 1.

3. Commander Works Engineers
Onslow Road,
Deolali.

... Respondents.

(By Advocate Shri R. R. Shetty for
Shri R. K. Shetty).

: OPEN COURT ORDER :

| PER : SHRI R. G. VAIDYANATHA, VICE-CHAIRMAN |

This is an application filed by the applicant for a direction to the respondents to declare the result of the interview of the applicant and then for a direction to the respondents to appoint him to the post of Meter Reader. The respondents have filed reply opposing the application. We have heard the applicant who appeared in person and the Learned Counsel for the Respondents.

[Signature]
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2. The applicant is working as a Peon under Commander Works Engineer, Deolali. The respondents had given an advertisement and the applicant had applied to the post of Meter Reader. It appears, though the applicant was called for written test and interview, his results were not declared and being aggrieved by this, he has approached this Tribunal for the reliefs already mentioned.

3. The respondents in their reply have stated that the applicant was called for selection by mistake. The respondents stand is that a Meter Reader is to be recruited from the particular unit where the vacancy has arisen. That means, for a post in Deolali unit, Class-IV of Deolali Unit can appear. Similarly, for vacancy of Meter Reader at Ahmednagar, Class-IV employees of that unit can apply. The respondents have explained the correct position as per rules and also about the vacancies.

4. After hearing both sides and going through the materials on record, we find that as far as the post of Meter Reader in Deolali Unit is concerned, it was a reserved post for Scheduled Caste candidate. It appears, a Scheduled Caste candidate has already been selected. The applicant who belong to General category, cannot claim the vacancy reserved for S/C candidate in Deolali Unit.

5. The applicant wants that his case should be considered in the general category post in Ahmednagar Unit. Since the applicant is working in Deolali Unit,

as per the policy decision of the administration, the post must be filled by the local unit and the applicant cannot claim the post of Meter Reader in the Ahmednagar Unit and this is clear from the policy decision of the administration, as could be seen from exhibit R-1 annexed to the reply. Therefore, the applicant cannot stake his claim for the post of Meter Reader in the Ahmednagar Unit. He is certainly entitled for the post in Deolali Unit but unfortunately, the present post which was selected, was only for S/C candidate. If and when future general vacancies arise in Deolali Unit, the applicant can offer himself as a candidate for the said post as per rules.

6. In the result, the O.A. is rejected at the admission stage subject to observations above.

D. S. Baweja
(D. S. BAWEJA)
MEMBER (A)

R. G. Vaidyanatha
(R. G. VAIDYANATHA)
VICE-CHAIRMAN.

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