

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Decision: 19.1.94.

TA 800/86
(CS 82/85)

KANHAIYA LAL

... APPLICANT.

Vs.

UNION OF INDIA & ANR.

... RESPONDENTS.

CORAM:

HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.
HON'BLE MR. B.N. DHOUNDIYAL, MEMBER (A).

For the Applicant

... SHRI J.K. KAUSHIK.

For the Respondents

... SHRI MANISH BHANDARI.

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.

Heard the learned counsel for the parties. It was submitted by the learned counsel for the respondents that the applicant could not pass the selection test for the post of Junior Clerk. As such, he could not be placed at a proper place. After the filing of the suit more than 8 years have been passed and the parties do not know what has happened during the intervening period. If the applicant has passed the selection test at a subsequent stage, naturally he will be entitled for the benefit of the same. In case, he has not passed the selection test during the intervening period, may be on account of the stay order of this court or for any reasons, he is entitled at least for three opportunities if not availed so far and if the suitable candidates are not available.

2. However, one important question should also be considered by the respondents that the applicant is a person of Scheduled Caste and is holding the post of Junior Clerk since 17th October, 1981 i.e. for more than 12 years. This aspect should be considered also for the purpose of regularisation, ^{as per rules and practice} if permissible under the rules.

3. The TA stands disposed of accordingly, with no order as to costs.

(B.N. DHOUNDIYAL)

MEMBER (A)

(D.L. MEHTA)

VICE CHAIRMAN