

Date of Decision : 20.5.94.

OA 1086/92
(OA 550/87)

KANHIYA LAL ... APPLICANT.

Vs.

UNION OF INDIA & ORS. ... RESPONDENTS.

CORAM:

HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.
HON'BLE MR. P.F. SRIVASTAVA, MEMBER (A).

For the Applicant ... SHRI J.K. MAUSHIK.

For the Respondents ... SHRI U.D. SHARMA.

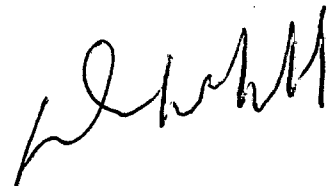
PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN..

Heard the learned counsel for the parties and perused the records. Name of the applicant finds place in the revised panel as well as the name of respondent No.4 also finds place in the revised panel. The respondents have appointed the respondent No.4 as T.C. because he opted for it. We have also seen the application form and the applicant has not opted for any category, as such he has been placed in the category nil. First, the persons who have opted, have been given appointment as per their option. Thereafter, those persons who have not opted for any category, have been placed in the remaining categories and the applicant has been appointed as Office Clerk. It will not be out of place to mention here that the respondents have committed one mistake that at the time of the application submitted by the applicant there were only three categories and the category of Office Clerk was not there, so the question of giving option for that category does not arise. Ordinarily, the option should have ^{been} given for any of the three categories which were notified considering that he has allowed to work in any of the categories. However, the applicant cannot be placed in the category of T.C. as the sufficient number of persons have opted for T.C. and have been selected and now there is no vacancy in the category of T.C.

2. In the light of the above facts, we do not want to interfere in the matter of allotment of post and we do not find any force in the OA and the same is dismissed with no order as to costs.



(P.P. SRIVASTAVA)
MEMBER (A)



(D.L. MEHTA)
VICE CHAIRMAN