

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

J A I P U R .

O.A. No. 636/92  
( O.A. 236/86)

Date of decision: 4.10.93

LALIT KUMAR MODAK : Applicant.

VERSUS

UNION OF INDIA : Respondents.

None present on behalf of the applicant.

Mr. Manish Bhandari : Counsel for the respondents.

CORAM:

Hon'ble Mr. Justice D.L. Mehta, Vice-Chairman

Hon'ble Mr. P.P. Srivastava, Administrative Member

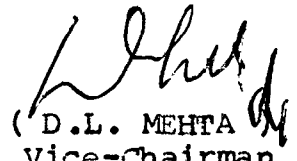
PER MR. P.P. SRIVASTAVA, ADMINISTRATIVE MEMBER:

The applicant was appointed on 4.10.76 and scale rate was given to him on 24.11.77. He joined the Open Line on 19.9.84. He applied for the post of Sub Overseer Mistry (SOM) in the scale of Rs. 380-560 in response to requirement and submitted his particulars on 16.11.84. The application is at Annexure A-1. His name was placed on the panel at No.1 in Annexure A-2. However, later on, on representation it was found by the respondents that the applicant did not fulfil the criteria of 3 years of service required for selection to the post of SOM. The criteria of 3 years' service is mentioned in letter no. E/E/839/16/1 dated 16/22.11.84 (Annexure R-1). Since the applicant did not fulfil the requirement of length of service at the time of selection to the post of SOM, his name has been correctly deleted by the respondents. However, he has been working for a long time on the post of SOM, the respondents may consider continuing him on adhoc basis on the basis of length of service as Sub Oversser Mistry, if found suitable, without adversely affecting the rights of those who are on the panel or who may be senior to him.

2. The O.A. is disposed of with the above directions.  
The stay order granted is automatically vacated. There shall be no order as to costs.



( P.P. SRIVASTAVA )  
Administrative Member



( D.L. MEHTA )  
Vice-Chairman