

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.299 of 1991

DATE OF JUDGMENT:25th February 1993

BETWEEN:

Mr. G.Balak Das

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Applicant

AND

1. The Secretary,
Department of Atomic Energy,
Bombay.
2. The Chief Executive,
Nuclear Fuel Complex,
Dept. of Atomic Energy,
Hyderabad.
3. The Deputy Chief Executive (A),
Nuclear Fuel Complex,
Dept. of Atomic Energy,
Hyderabad.
4. The Manager,
Personnel Administration,
Nuclear Fuel Complex,
Dept. of Atomic Energy,
Hyderabad.

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Respondents

COUNSEL FOR THE APPLICANT: Ms. N.Shoba, Advocate
COUNSEL FOR THE RESPONDENTS: Mr. N.V.Ramana, Addl.CGSC

CORAM:

Justice
Hon'ble Shri/V.Neeladri Rao, Vice Chairman

Hon'ble Shri R.Balasubramanian, Member (Admn.)

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JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE
SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN

This OA is filed praying for issual of a direction directing the respondents to appoint the applicant to the post of Helper 'A' from the existing empanelled list by declaring the action of the respondents in issuing the Circular Ref.No.NFC/PAR/03/005/91/492, dated 22.2.1991 as illegal and arbitrary. The facts which give rise to this OA are as under:-

The applicant worked as Casual Labourer in Nuclear Fuel Complex at Hyderabad from 1985. During 1986, the applicant was called for the interview by NFC, Hyderabad for the post of Helper 'A' and his name was included in the list of selected candidates. Some of the persons who are above the applicant in the list of selected candidates were appointed. NFC, Hyderabad sent a Circular dated 22.2.91 to the Employment Exchange requiring the latter to send a list by stating that there were vacancies of 30 posts of Helper 'A'. It is contended for the applicant that NFC, Hyderabad acted illegally in sending the Circular dated 22.2.1991 without providing appointments for all the applicants in the selected list of 1986 including the applicant. But it was rightly stated for NFC, Hyderabad that the select^{-ed}/list of 1986 was in force for 1½ years as per the rules and hence any person who was in the selected list and who could not get appointment before the expiry

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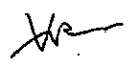
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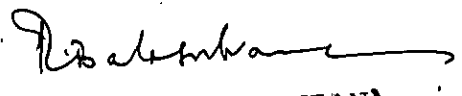
of that period, has no claim for subsequent vacancy. It is not stated for the applicant that his rank in 1986 selected list was within the number of vacancies notified. Hence, this OA does not ^{merit} ~~view~~ ^{for} consideration.

2. In the above view, we do not want to advert to the contention for the applicant as to whether the applicant is eligible for consideration along with the others for the vacancies referred to in the Circular dated 22.2.1991 and we leave it open for consideration as and when it arises.

3. Accordingly, the OA is dismissed. No costs.

(Dictated in the open Court).


(V. NEELADRI RAO)
Vice Chairman


(R. BALASUBRAMANIAN)
Member (Admn.)

Dated: 25th February 1993.


Deputy Registrar (J)

- To
1. The Secretary, Dept. of Atomic Energy, Bombay.
 2. The Chief Executive, Nuclear Fuel Complex, Dept. of Atomic Energy, Hyderabad.
 3. The Deputy Chief Executive (A), Nuclear Fuel Complex, Dept. of Atomic Energy, Hyderabad.
 4. The Manager, Personnel & Administration, Nuclear Fuel Complex, Dept. of Atomic Energy, Hyderabad.
vsn
 5. One copy to Mrs. N. Shoba, Advocate, 2-2-1105/21, Tilaknagar, Hyd.
 6. One copy to Mr. N. V. Ramana, Addl. CGSC, CAT, Hyd.
 7. One spare copy.

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130 Jan 1 1993

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. V. NEELADRI RAO :V.C.

AND

THE HON'BLE MR. R. BALASUBRAMANIAN :M(A)

AND

THE HON'BLE MR. CHANDRA SEKHAR REDDY
:MEMBER(J)

AND

THE HON'BLE MR.

DATED: 25-2-1993

ORDER/JUDGMENT:

R.P./C.P/M.A. No.

in

C.A.No. 299/91

T.A.No.

(W.P.No.)

Admitted and Interim directions
issued.

Allowed

Disposed of with directions

Dismissed as withdrawn

Dismissed

Dismissed for default

Rejected/Ordered

No order as to costs.

113/93

