

(19)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.600 of 1992

DATE OF JUDGMENT: 18th June, 1993

BETWEEN:

Smt. Radha Bai

..

Applicant

AND

1. The Regional Provident Fund Commissioner,
Andhra Pradesh,
Barkatpura,
Hyderabad.

2. The District Employment Officer (Labour),
Hyderabad.

..

Respondents

APPEARANCE:

COUNSEL FOR THE APPLICANT: Mr. D.P.Kali - NOT PRESENT

COUNSEL FOR THE RESPONDENTS: Mr. Vilas V.Afzalpurkar, SC for
1st Respondent, represented by
Mr. J.C.Francis.

Mr. D.Panduranga Reddy, Special
Counsel for the State of A.P.
(For the 2nd respondent).

.. PRESENT

CORAM:

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

Hon'ble Shri P.T.Thiruvengadam, Member (Admn.)

contd....

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

No one is present for the applicant even though it is posted for dismissal. Heard Mr. J.C.Francis representing Mr. Vilas Afzalpurkar for the 1st respondent and Mr. D. Panduranga Reddy for the 2nd respondent.

2. This application is filed praying for a direction to the 1st respondent to appoint the applicant as Class-IV Contingency Staff as her name was sponsored by the Employment Exchange against the vacancies referred to above. The facts which give rise to this application are as under:-

A requisition was issued by the 1st respondent to the 2nd respondent for sponsoring candidates for appointment of 3 Contingent Watermen/Water-women for fetching water during summer. The names of the applicant and 24 others were sponsored by the 2nd respondent. From out of those who appeared for the interview in pursuance of the call letters sent to the sponsored candidates, 3 were selected and they were appointed on daily wage basis with effect from 19.5.1992. The applicant was not one of those three who were appointed by the 1st respondent. Even the services of those 3 selected were discontinued with effect from 15.7.1992, as the purpose ^{was} ~~is~~ over, as per the plea of the 1st respondent. This application was filed on 17.7.1992. In the circumstances referred to above, the application was not maintainable, urged the learned counsel for the respondents.

contd....

20/8/92

Copy to:-

- 1.st The Regional Provident Fund Commissioner, Andhra Pradesh, Barkatpura, Hyd.
- 2.nd The District Employment Officer (Labour), Hyderabad.
- 3.rd One copy to Sri. D.P. Kali, advocate, 2-2-1164/15RsB, Tilaknagar, Hyd.
- 4.th One copy to Sri. Vilas V. Afzulpurkar, SC for 1st Respondent, 3-4-494/1, Barkatpura, Hyd.
- 5.th One copy to Sri. D. Panduranga Reddy, Spl. counsel for A.P. State.
- 6.th One spare copy.

Rsm/-

4/11/83
7.22
7.893

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3. It is evident from the plea of the 1st respondent which remains unchallenged that the contingent posts are only for a period of 2 months. Further, everyone cannot claim appointment on the mere basis that his/her name was sponsored by the Employment Exchange. It is not in dispute that the number of candidates sponsored will be far more than the number of posts and hence the question of selection does arise. In the reply of the applicant, it is stated that she had not received the call letter. As the posts for which the call letters were sent no longer exist, there is no need to consider about the said plea. Any how, there is no further need to advert to the ~~said~~ plea for the applicant, as this application itself is not maintainable for the candidates were sponsored in regard to the posts which were for two months and that period expired even before this OA was filed. Probably, realising that this OA is not maintainable, the applicant might not have ^{been} evincing any interest to prosecute this case and accordingly his learned counsel might not have turned up even though it is posted for dismissal. (When there was no representation either on behalf of the learned counsel for the applicant or the applicant, on the earlier adjournments, this OA was listed for dismissal).

4. The OA is dismissed. No costs.

(Dictated in the open Court).

P. J. L. S.
(P.T. THIRUVENGADAM)
Member (Admn.)

X. Neeladri Rao
(V. NEELADRI RAO)
Vice Chairman

Dated: 18th June, 1993.

822/93
By Registrar (J. U.)

0.A. 600/92

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COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN
AND

THE HON'BLE MR. A. B. GORTY : MEMBER (AD)
AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (J)

AND

THE HON'BLE MR. P. T. TIRUVENGADAM : M(A)

Dated : 18/6/-1993

ORDER/JUDGMENT:

M.A. / R.A. / C.A. No. _____

in
O.A. No. 600/92

T.A. No. _____ (w.p. _____)

Admitted and Interim directions
issued

Allowed

Disposed of with directions

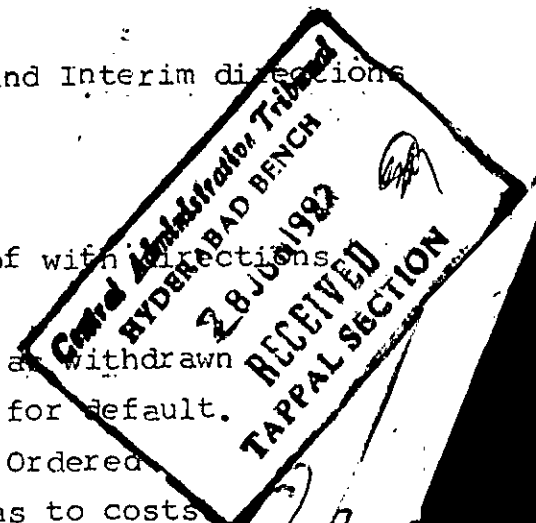
Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/ Ordered

No order as to costs



pvm