

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.744/93

Date of Order; 28.11.96

BETWEEN :

D.Sreenivas Reddy

.. Applicant.

AND

1. The Addl. Central Provident Fund,
Commissioner (South Zone) Regional
Provident Fund Office, Barkatpura,
Hyderabad.

2. The Dt. Employment Officer,
Dt. Employment Exchange,
Kurnool, Kurnool Dist.

.. Respondents.

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Counsel for the Applicant

.. Mr.V.Krishna Rao

Counsel for the Respondents

.. Mr.S.Lakshmi Kant Rao

.. Mr.IVRK.Murthy for R-2

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CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

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J U D G E M E N T

X Oral order as per Hon' ble Shri R.Rangarajan, Member (Admn.) X

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None for the applicant. Mr.S.Lakshmikanta Rao, for R-1
and Mr.I.V.R.K.Murthy, for R-2.

2. Mr.C.S.Reddy, Additional Commissioner of Central Provident
Fund was present in the court and explained the selection procedure.

3. R-1 issued a notification for sponsoring candidates for
the post of Messenger under R-2, in January 1993 and May 1993
It is stated that ^a requisition calling for volunteers from
Employment Exchange was sent. The requisition sent in January
1993 was for two vacancies and the second requisition was for
four vacancies. Thus the total number of vacancies to be filled

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amounted to six. R-2
 sponsored 233 candidates against that requisition. A D.P.C.

met and a panel of 12 ~~selected~~ selected candidates was
 prepared ^{including} anticipating vacancies that will arise in future.

It is stated that all the 12 candidates empanelled have been posted as Messengers on various dates. The applicant figured at serial No.13 and hence his name was not included in the panel.

4. The applicant submits that many of his juniors who had registered in employment exchange under the control of R-2 were sponsored ignoring his seniority. Thus, the applicant submits that the selection procedure has been vitiated as senior candidate had been overlooked while sponsoring by the employment exchange.

5. This OA is filed praying for a direction to R-1 to issue call letter to the applicant and permit him to appear for the interview and selection to the post of Messenger proposed to be held in the 4th week of June 1993 or any other subsequent date without insisting that the name of the applicant should be sponsored by R-2 herein along with other sponsored candidate.

6. An interim order was issued in this OA dt. 9.7.93 wherein R-1 was directed to interview the applicant also on 20.8.93, but the result if he ^{is} selected should not be published until further orders.

7. The main contention of the R-1 in this OA is that the applicant though interviewed could not come up in the selection for empanelling him. Hence the applicant can not claim to be posted as a Messenger.

8. R-2 has filed a reply. The reply filed by R-2 states that the seniority of the applicant as per registration in the

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requisition> sponsoring the candidates against the /
Employment Exchange was adhered to while /None of his juniors

as per the date of their registration in the Employment Exchange was sponsored against the requisition issued by R-1. The applicant registered in the District Employment Exchange in Kurmool on 25.8.87 by registration No.11810/87. The candidates sponsored against the notification had registered earlier to that date and the last candidate sponsored registered in the employment exchange on 16.8.84. Thus R-2 submits that no irregularity is committed while sponsoring the candidates against the requisition of R-1.

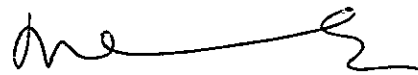
9. The learned counsel for the applicant was not present inspite of the repeated adjournments. Even today the learned counsel for the applicant was not present. No rejoinder has been filed contraverting the details given by R-2. Hence it has to be held that the applicant was not sponsored as he was not senior enough to be sponsored against the requisition send by R-1 and there is no irregularity. We do not see any reason to set aside the selection panel^{and} to give direction to appoint the applicant against the post of Messenger.

10. In the result, the OA is dismissed. No costs.



(B.S. JAI PARAMESHWAR)
Member (Judl.)

28.11.96



(R.RANGARAJAN)
Member (Admn.)

Dated: 28th November, 1996

(Dictated in Open Court)

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Am. legi
D. R. (S) 28-11-96

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D.A.NO.744/93

Copy to:

1. The Addl.Central Provident Fund Commissioner,
(South Zone) Regional Provident Fund Office,
Barkatpura, Hyderabad.
2. The Dt.Employment Officer,
Dt.Employment Exchange,
Kurnool, Kurnool District.
3. One copy to Mr.W.Krishna Rao, Advocate,
CAT,Hyderabad.
4. One copy to Mr.S.Lakshmikantha Rao, Advocate,
CAT,Hyderabad.
5. One copy to Mr.I.V.R.K.Murthy, Advocate,
CAT,Hyderabad.
6. One copy to Library,CAT,Hyderabad.
7. One duplicate copy.

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23/11/92

TYPED BY
COMPILED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:
M(J)

DATED: 28/11/86

ORDER/JUDGEMENT

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

O.A.NO. 744/86ⁱⁿ

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED ✓

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

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केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal भेजण/DESPATCH 18 DEC 1986 हैदराबाद न्यायपीठ HYDERABAD BENCH
