

(J3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD

O.A. NO.830/94

Between:

Date of Order: 1.11.95.

1. R.Chandraiah
2. R.Ashok

...Applicants.

And

... ~~... General Manager,~~
Ordinance Factory Project,
Yeddu-mailaram,
Medak District.

...Respondents.

Counsel for the Applicants : Mr.W.Jagapathi

Counsel for the Respondent : Mr.N.R.Devraj,Sr.CGSC.

CORAM:

THE HON'BLE SHRI A.B.GORTHI : MEMBER (A)

contd...

O.A.830/94.

Dt. of Decision : 01-11-95.

ORDER

1. As per Hon'ble Shri A.S. Gorthi, Member (Admn.)

Heard Shri V. Jagapathi, learned counsel for the applicants.

2. Shri R.Chandraiah (applicant No.1) is the person No. 106/2/C was acquired by the respondents. Shri R.Ashok (applicant No.2) is the son of applicant No.1. Their claim in this OA is that suitable/~~be granted~~/applicant No.2 against the quota meant for land displaced persons.

3. As the land of applicant No.1 is acquired by the respondents, an offer of appointment was made to him vide letter dated 30-04-1992. Applicant No.1 was also asked to furnish three sets of attestation forms duly completed. Later on, vide letter dated 18-12-1992 the respondents withdrew the offer of appointment and treated ^{it} as cancelled on the ground that the applicant produced a School Leaving Certificate which showed that he passed 5th standard and that his date of birth was 30-12-1963. The respondents on scrutiny of the records found that another son of applicant No.1 was already in their employment and that as per the official records the date of birth of that employee is 15-06-1970. The respondents concluded that there could not be a mere gap of only 7 years between the date of birth of the father and son and as such held that the applicant No.1 furnished false information with regard/his date of birth. Aggrieved by the same he approached the Tribunal in OA.No.296/93 which was dismissed vide order dt. 11-11-1993.

4. In view of the afore stated facts the respondents stated that as per the extant scheme applicant No.1 was offered suitable employment on acquisition of his land. The said offer was cancelled as the applicant No.1 furnished false information with regard to his date of birth. The contention of the respondents is that the applicant No.1 has no continuing right to claim appointment against land loser quota, if not for himself for his son.

5. Shri V.Jagapathi, learned counsel for the applicants states that admittedly no member of the family of the applicants has been given employment, although their land has been acquired by the respondents. He further contends that merely because applicant No.1 failed in his attempt to secure employment under the respondents, he cannot forfeit his right to claim employment for his son.

6. There is no doubt that on the acquisition of the land of the applicants' family, the respondents are bound to give employment to a member of the family against quota meant for land displaced persons. Following the extant scheme the respondents did offer suitable employment to applicant No.1. If the said offer did not fructify, it was entirely on account of mis-conduct of the applicant No.1. In the said circumstances I am of the considered view that applicant No.1 thus forfeited his right to again claim employment under the respondents either for himself or for any of his wards. It is needless ^{for us to} say that applicant No.2 by himself has no locus standi to claim appointment under the land loser quota.

7. In the afores stated circumstances, the prayer of the applicant No.1 for employment of applicant No.2 under the respondents cannot be acceded to. The OA is accordingly dismissed. No costs.


(A.B. Gerthi)
Member(Admn.)

Dated : The 1st November 1995.
(Dictated in Open Court)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

HON'BLE MR. A.B. GORTHI, ADMINISTRATIVE MEMBER.

HON'BLE MR.

JUDICIAL MEMBER.

ORDER/JUDGEMENT:

DATED: 1 / 11 / 1995.

M.A./R.A./C.A.NO.

IN

O.A.NO. 830/94

T.A.NO. (W.P.NO.)

ADMITTED AND INTERIM DIRECTIONS ISSUED.

ALLOWED.

DISPOSED OF WITH DIRECTIONS.

DISMISSED.

DISMISSED AS WITHDRAWN.

DISMISSED FOR DEFAULT.

ORDERED/REJECTED.

NO ORDER AS TO COSTS.

* * *

Rsm/-

