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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A.No.360/94.

Date of decision: 16-4-1997.

Between:

1. Ch.Obanna.
3. P.Jaya Gopal.
4. E.Masthan Reddy. Applicants.

and

1. The District Employment Officer,
Office of the Employment Ex-
District Chittoor. Chittoor
2. The Regional Provident Fund
Commissioner, Barkatpura,
Hyderabad. Respondents

Counsel for the applicants: None.

Counsel for the respondents: Sri Phaniraj for Nav en Rao
for the 1st Respondent.

Sri R.N.Reddy for the
2nd Respondent.

Sri R.N.Reddy for the 2nd Respondent.

CORAM:

HON'BLE SHRI R.RANGARAJAN, Member (A)
HON'BLE SHRI B.S.JAI PARAMESHWAR, Member (J)

JUDGMENT:

(as per Hon'ble Shri R.Rangarajan, Member (A)).

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None for the applicant. Sri Phaniraj for Naveen Rao
for the 1st Respondent and Sri R.N.Reddy for the 2nd res-
pondent.

This O.A., was instituted in the year, 1994. Even
though this O.A., was posted for dismissal on 3-4-1997,
the learned counsel for the applicant was not present.

Hence the O.A., is disposed of under Rule 15(1) of the

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C.A.T. (Procedure) Rules, 1987.

There are 4 applicants in this O.A. The Notification dated 7-2-1994 to the 1st Respondent for sponsoring the candidates for four temporary posts of Messengers through the Employment Exchanges at Cuddapah, Anantapur, Nellore and Kurnool. Out of the 4 posts, one post is reserved for S.T., and rest three posts were under ~~for~~ general category. The names of the applicants were not sponsored by the Employment Exchange.

Hence they approached this Tribunal by filing this O.A., praying for a declaration that the action of the 1st respondent in not sponsoring the names of the applicants to the 2nd respondent herein in the ratio of 1 : 20 for the Messengers Posts is illegal, arbitrary and contrary to the rules issued by the Government from time to time and for a consequential direction to the 1st respondent to sponsor the names of the applicants to the 2nd Respondent and also for a direction to the 2nd Respondent to consider the case of the applicants to the posts of Attenders.

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An interim Order was passed in this O.A.,
dated 25--3--1994 which reads as under:

"If the years of registration of the candidates sponsored by the Employment Exchange to the 2nd respondent were referred to in the list forwarded to Respondent No.2 and if the registration of any of those candidates is of 1993 then the 2nd respondent has to interview the applicants if they report in the office of the 2nd respondent at 9-30A.M, on 28-3-1994 along with a copy of this Order. If any or all of the candidates are selected, appointment orders shall not be given to them until further orders."

As per the interim order, the applicants should be interviewed by the 2nd respondent on 28--3--1994 if the applicants were present with a copy of the Interim Order dated 25-3-1994 on that day. The learned counsel for the 2nd respondent submits that the interview slated for 28--3--1994 was not held as also the interview scheduled to be held on 29--3--1994. The list of candidates sponsored by the District Employment Exchanges of Cuddapah, Anantapur, Kurnool, Nellore and Chittoor were also returned to the concerned Employment Exchanges respectively by letter dated 23-12-1994 since six months period had elapsed.

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The interview could not be held on 28-3-1994 and 29-3-1994 due to some administrative reasons. Further, it is also stated that the interview was held on 23-6-1995 on the basis of fresh sponsorship made by the concerned Employment Exchanges. In that interview, 153 candidates were interviewed for four posts. Thus the ratio of 1 : 20 was adhered and the rule was followed. Even against the 2nd requisition/Notification for which the interview was held on 23-6-1995 the names of the applicants were not sponsored by the Employment Exchange. Hence the applicants cannot demand the Respondent No.2 to interview them. The applicants have also failed to obtain any interim order for interviewing them on 23-6-1995 as was done in the case of the applicant in O.A.595/94. The learned counsel for the 2nd respondent strenuously argues that there is no irregularity committed in the selection and hence the O.A., is liable to be dismissed.

The main contention of the applicants in this O.A., is that 20 times of the number of vacancies i.e., Candidates with

ratio 1 : 20 are to be sponsored by the Employment Exchange and if that is done, the names of the applicants would have been figured in the sponsored list. The 2nd respondent asked for 125 candidates for four vacancies.

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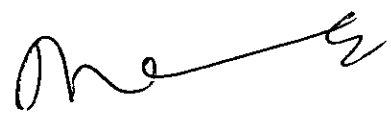
In the first interview also 20 times the number of vacancies were sponsored by the Employment Exchange. Even for the 2nd interview, 153 names were sponsored which is more than 20 times to the number of vacancies.

These ~~have not~~ approached this Tribunal for interviewing them on 23-6-1995 as was done by the applicant in O.A. ~~595~~ 595/94. Hence the applicants cannot now demand that they should be interviewed for the posts. Had the applicants obtained interim order for interviewing them on 23-6-1995 as was done by the applicant in O.A. 595/94 the applicants herein also could have been interviewed on 23-6-1995. Having failed to do so, the applicants cannot ask for any relief in this O.A., especially when their main contention of 20 times sponsorship has been completely adhered to.

In view of the foregoing discussion, we find no merit in this O.A. Hence the O.A., is dismissed.

No costs.


(B.S. JAI PARAMESHWAR
MEMBER (J)


(R. RANGARAJAN)
MEMBER (A)

16.4.97
Date: 16-4-1997

Dictated in open Court.

SSS.


D.R. (J)

9/6/97
TYPED BY
COMPARED BY

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CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 16/4/92

ORDER/JUDGEMENT

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

in

O.A.No. 360/94

ADMITTED INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS

YLKR

II COURT

