

(14)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.372/94

DATE OF ORDER : 12-2-1997.

Between :-

K.Raju

... Applicant

And

1. The Regional Provident Fund Commissioner,
AP, Barkatpura, Hyd.
2. The Dist. Employment Officer, R.R.Dist,
Hyd.

... Respondents

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Counsel for the Applicant : Shri

Counsel for the Respondents : Shri S.Lakshmi Kantha Rao for R-1
Shri Ramesh Ranganathan for R-2

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CORAM:

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

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

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

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.. 2.





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

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None for the applicant. Shri S.Lakshmi Kantha Rao for Respondent No.1 and Shri Ramesh Ranganathan for Respondent No.2.

2. The applicant registered his name in the Employment Exchange in Ranga Reddy District, Andhra Pradesh. Respondent No.1 issued a notification to Respondent No.2 to sponsor the candidates for the posts of Messenger in his organisation. The applicant's name was not sponsored by Respondent No.2. Hence he filed this application praying for a direction ^{to} Respondent No.2 to sponsor his name to Respondent No.1 for selection to the post of Messenger in accordance with seniority.

3. An interim order was issued in this O.A. dt.28-3-94 whereby the Respondent No.1 was directed to interview the applicant also if he is going to be present at Respondent No.1's office by 9.30 am on 29-3-94 along with the interim order. It is stated that the interview on 29-3-94 was postponed and was held on 18-6-94. The applicant was admitted to that interview in pursuance of the interim direction given in this O.A. but as per the direction in the interim order, the appointment order was not issued till the disposal of this O.A. Today we have heard this case. We have perused the selection proceedings No.23/94 held on 18-6-1994. As per the selection proceedings 12 candidates were kept in the panel in the order of merit for the 4 vacancies of ^{posts of} messengers. The applicant stands at Sl.No.6 in the merit order. Out of the 4 vacancies one of the vacancies is reserved

Joe

A

(6)

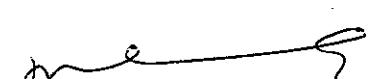
for Scheduled Caste as per 100 point roster. The applicant is not an SC candidate. He is only a Back Ward Caste (A). Hence he cannot claim posting against SC point. He cannot be treated as an SC candidate for the purpose of filling up of this vacancy is concerned. Further there are 2 SC candidates already in the merit list standing at Sl.No.2 and 3. Hence the submission of the respondents that the applicant was not selected against these 4 vacancies is borne out by the records. Even in the absence of the applicant or his counsel if the O.A. is disposed of, no prejudice will be caused to the applicant as the applicant failed to make any endeavor the grade in the selection, he cannot claim the post. Hence we do not see any reason to refuse grant the prayer as prayed for in this O.A.

4. In the result, the O.A. is dismissed for want of merits. No costs. (Selection proceedings were perused and returned back).


(B.S.JAI PARAMESHWAR)

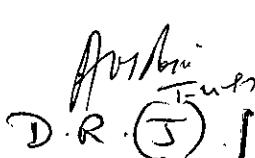
Member (J)

12/2/97


(R.RANGARAJAN)

Member (A)

Dated: 12th February, 1997.
Dictated in Open Court.


D.R.(J)

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3.4.3

Copy to:

1. The Regional President Fund Commissioner, A.P., Barkatpura, Hyderabad.
2. The District Employment Officer, R.R.District, Hyderabad.
3. One copy to Mr.O.P.Kali, Advocate, H.No.2-2-1164/15/B, Tilaknagar, Hyderabad.
4. One copy to Mr.S.Lakshminatha Rao, Advocate,CAT,Hyd.
5. One copy to Mr.Ramesh Ranganatham, Advocate,CAT,Hyderabad.
6. One copy to D.R(A), CAT, Hyderabad.
7. One duplicate copy.

YLKR

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23/1/97

TYPED BY

CHECKED BY

COMPARED 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 PARAMESWARI: M(J)

DATED: 12/2/97

ORDER/JUDGEMENT

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

O.A. NO. 372/94 ⁱⁿ

~~ADMITTED AND INTERIM DIRECTIONS ISSUED~~

~~ALLOWED~~

~~DISPOSED OF WITH DIRECTIONS~~

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~ORDERED/REJECTED~~

~~NO ORDER AS TO COSTS.~~

II COURT

YLKR

