

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO. 862/95.

Between :-

1. JN Srinivasa Rao
2. B.Sai Raj Yadav
3. A.Chilkaiah

... Applicants

And

The Commanding Officer,
E.M.E. Record Office,
Secunderabad - 500 021.

... Respondent

Counsel for the Respondent : Shri Kota Bhaskar Rao, CGSC

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)).

J

... 2.

A

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

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Heard Sri K.Sudhakar Reddy, counsel for the applicants and Sri Kota Bhaskar Rao, standing counsel for the Respondents.

The Respondents authorities called for the Employment Officer to sponsor the candidates to fill up the posts of Peon under the respondents organisation.

In response to that requisition, the following Employment Exchanges have sponsored the candidates :-

- (a) The District Employment Officer,
Dist. Employment Exchange (Lab) Hyderabad.
- (b) District Employment Officer, Ranga Reddy District, Hyderabad.
- (c) Zila Sainik Welfare Officer,
Hyderabad District, Chintal Basti,
Hyderabad-4.
- (d) Regional Employment Officer,
Special Employment Exchange for
Physically Handicapped, Musheerabad,
Hyderabad-20.

Assumed

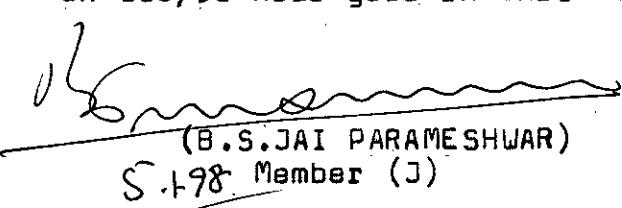
However the list of the provisionally selected candidates as indicated in page-3 of the counter. All the three applicants in this O.A. find place in the provisional selected list. It is stated that Sri Malla Reddy, Employment Officer (Clerical) Hyderabad approached EME Records with a letter No.A3/765/94 dt.20-8-94 informing that the candidates' lists sponsored by the Employment Exchanges are bogus and requested to lodge a complaint with the concerned police station to investigate the matter. The EME authorities stated to the Commissioner, Deptt. of Employment/ Training vide letter dt.17-12-94 that it is the duty of the District Employment Officer, Hyderabad to lodge the complaint with the

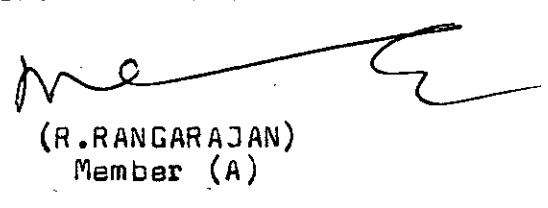
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Police authorities. In the meantime the release of the vacancies
~~was~~ abandoned due to ban on recruitment. Hence the whole selection
was scrapped with immediate effect.

3. A similar case in OA No.683/95 was filed on the file of
this Bench. That O.A. was disposed of by order dt.17-6-96.
In that O.A. it was observed that selected candidates have no
right to claim appointment in view of the fact that the vacancies
have been frozen and hence even though the applicants ~~was~~ selec-
ted, they cannot claim appointment on the basis of the selection
of the Apex Court
In this connection we also rely on the judgement rendered in
Union of India & others Vs. K.V.Vijesh((1996) 3 SCC 139). There
it was observed by the Apex Court that rules do not provide
guarantee for appointment to the persons if there are no posts.
In view of the above, the applicants cannot claim appointment
and they have no case for appointing them even if they are in
the select list. Hence we feel no order is necessary in this case
as the similar OA has already been disposed of with certain
observations.

4. In view of what is stated above, we are of the opinion that
no order is necessary in this O.A. and the observations made in
OA 683/95 hold good in this O.A. also. No costs.


(B.S.JAI PARAMESHWAR)
S.198 Member (J)


(R.RANGARAJAN)
Member (A)

Dated: 5th January, 1998.
Dictated in Open Court.

(a)

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Copy to:

1. The Commanding Officer, E.M.E. Record Office, Secunderabad.
2. One copy to Mr. K. Sudhakar Reddy, Advocate, CAT, Hyderabad.
3. One copy to Mr. Kota Bhaskara Rao, Addl. CGSC, CAT, Hyderabad.
4. One copy to D.R(A), CAT, Hyderabad.
5. One duplicate copy.

YLKR

21/1/98 (5)

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. B. RANGARAJAN : M(A)

AND

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

DATED: 5/1/98

ORDER/JUDGMENT

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

in

C.A.NO. 862/95

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

