

23

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 581/96.

Dt. of Decision : 16-09-98.

Ch. Paradesi

..Applicant.

Vs

1. The General Manager,
Naval Armament Depot,
Visakhapatnam-9.
2. The Flag Officer,
Commanding-in-chief,
Eastern Naval Command,
Visakhapatnam.
3. The Director of Armament
Supply, New Delhi.
4. The Civilian Staff Officer (P&A)
O/o the Chief of Naval Staff, DHQ,
New Delhi.
5. The Chief of Naval Staff,
DHQ P.C. New Delhi.

..Respondents.

Counsel for the applicant

:Mr. Bhaskar Poluri

Counsel for the respondents

:Mr. V. Bhimanna, Addl. CGSC.

CORAM:-

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

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

R

..2

2

-2-

ORDER

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

Mr. Bhaskar Poluri, learned counsel
 Heard for the applicant and Mr. V. Bhimanna, learned
 counsel for the respondents.

2. The applicant in this OA applied for the post of Senior Chargeman (Mechanical) while working as Torpedo Fitter (HSK-II). An examination for the post of Senior Chargeman was held on 5-3-89. Subsequently an oral examination was held on 30/31-5-89. The number of vacancies reported to have included for selection of senior Chargeman for which the interview was held on 5-3-89 was 20. Hence a list containing 20 candidates have^d been empanelled. Another 15 candidates were placed on the reserved list. The applicant's name stood at sl.15 of the reserved list as last in the reserved list. It is stated that the reserved list ^{was} is meant for filling up the post in case regularly selected candidate had not joined the post for some reasons or other. It is stated that 8 candidates placed in the regular list of 20 did not join and hence 8 candidates from the reserved list were posted. Another selection was held on 6-5-96 for filling up the post of senior Chargeman against 9 vacancies which arose in the year 1994 for direct recruitment. The applicant submits that the second selection should not be conducted and those vacancies that had arisen in 1994 should be filled from the candidates placed in the reserved list in the year 1989. As that was not accepted, the applicant filed this OA praying for a declaration that he is entitled to appointment as Senior Chargeman and quash the notification to the recruitment to the post of Senior Chargeman issued on 30-04-96 (Annexure-I).


3. The select list should contain only the required number for appointment against regular vacancy. We do not see any reason to keep any reserved list. It is not also quoted in the reply the extent rules for keeping the reserved list. In any case, the reserved list has been kept and that reserved list is not challenged by anybody.

R

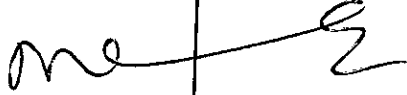


The applicant is the last employee in the candidates in the reserved list. The regular list and the reserved list do not exist once a selection is completed. There is a ^{life} ~~life~~ for a panel. That ^{life} ~~life~~ is normally one or two years. Even if the applicant had ^{been} ~~kept~~ in the reserved list, the life of the panel of the reserved list is two years ^{at the maximum from} ~~from~~ the date of issue of the list. The list is reported to have been issued in the year 1989. Hence, the reserved list stands cancelled in the year 1991 itself. Hence that list cannot be considered for appointment for vacancies for which notification was issued on 30-4-96. The applicant has not quoted any rule to show that the candidates kept in the previous ^{reserved} ~~list~~ should be appointed against the vacancies arising later. When such a rule is not quoted when the notification was issued 7 years after filling up the post in the year 1989 the applicant cannot demand as a matter of right to post him against the vacancies which had arisen in the year 1994 for which the notification was issued on 30-04-96 as his name was in the reserved list in the year 1989.

4. In view of what is stated above, the applicant has not made out a case for granting him the relief. Hence, the OA is dismissed. No costs.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)
16.9.98

Dated : The 16th Sept. 1998.
(Dictated in the Open Court)


(R. RANGARAJAN)
MEMBER (ADMN.)
DR 12-9-98

apr

Copy to:

1. The General Manager, Naval Armament Depot, Visakhapatnam.
2. The Flag Officer, Commanding in Chief, Eastern Naval Command, Visakhapatnam.
3. The Director of Armament Supply, New Delhi.
4. The Civilian Staff Officer (P&A), O/O The Chief of Naval Staff, DHQ, New Delhi.
5. The Chief of Naval Staff, DHQ P.O., New Delhi.
6. ~~Bhaskar~~ One copy to Mr. Bhaskar Poluri, Advocate, CAT, Hyderabad.
7. One copy to Mr. V. Bhaskara Rao, Addl. CGSC, CAT, Hyderabad.
8. One copy to D.R(A), CAT, Hyderabad.
9. One copy for duplicate

YLKR

[Handwritten signature]

II COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 16/9/98

ORDER/JUDGMENT

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

in

C.A.NO. 581/96

~~ADMITTED AND INTERIM DIRECTIONS
ISSUED~~

~~ALLOWED~~

~~DISPOSED OF WITH DIRECTIONS~~

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~ORDERED/REJECTED~~

~~NO ORDER AS TO COSTS~~

YLKR

