

  
CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

Original Application No.675 of 1996

Dt. of decision: 18-6-1996

Between

1. Laxman

2. R. Rajender

.. Applicants

And

1. The Regional Provident Fund  
Commissioner No.1  
Barkatpura, Hyderabad-27

2. The Sub-Regional Provident Fund  
Commissioner Gr.II  
Khaleel Wadi, Nizamabad Dist.

.. Respondents

Counsel for the applicants : Sri M. Kalidas

Counsel for the respondents: Sri ~~Lakshmi Kantha~~ Rao, S.

CORAM

Hon'ble Mr. Justice M.G. Chaudhari : Vice Chairman

Hon'ble Sri H. Rajendra Prasad : Member (A)

JUDGEMENT

( Oral Order as per Hon. Mr. Justice M.G. Chaudhari, V.C. )

The learned counsel for the applicants is absent.

He was also absent yesterday. Mr. Lakshmi Kantha Rao, Standing Counsel for the respondents was present yesterday as well as he is present today. Mr. M. Vishnuvardhan Rao, Asst. Provident Fund Commissioner, Hyderabad is present to

(S)

as desired by us vide Minutes dt.10-6-96. Sri Lakshmi-kantha Rao submitted on instructions that in the Employees Provident Fund Organisation there is no rule which requires <sup>affected</sup> project-vacated persons to be employed and the only rule is that candidates sponsored by the Employment Exchange are considered. The learned counsel states on instructions that for five (5) vacant posts of Messengers which were intended to be filled up a requisition was made to the Employment Exchange to sponsor the names of the eligible candidates and interviews are yet to be fixed and the statement of the applicants that interview was being held on 10-6-96 is not correct. After the names sponsored by Employment Exchange are scrutinised, a selection is made in the prescribed manner and reservation according to roster point is taken into account. We do not therefore find any occasion to make any grievance.

3. Why the names of the applicants were not sponsored is not the question before us. All that the applicants say is that on information being gathered that <sup>some</sup> interviews are being held on 10-6-96 they filed <sup>1</sup> representations to the 1st respondent requesting to call them for interview. The learned counsel for the respondents states that the representations were received on 13-6-96. We have been shown a copy of the representation received from applicant

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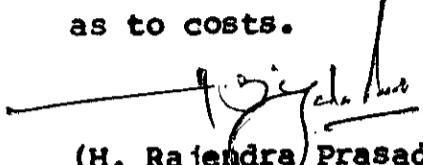
No.1. On going through the same we find that it is merely a request to provide him employment and is not an application in response to any invitation to apply nor an application made according to recruitment rules. Since the names have to be sponsored by the Employment Exchange. The applicants had no loco standi to file a representation of the nature as it is filed. The applicant No.2 has also not substantiated his contention that as a ~~project-vacated~~ <sup>affected</sup> person he is entitled to a preferential right of employment with the respondents. No material has been produced. The learned counsel for the respondents submits that for what reason the Employment Exchange did not forward names of the applicants assuming that they are enrolled with the Employment Exchange office is not a matter on which they can offer any explanation.

4. The relief claimed by the applicants boils down to saying that <sup>they are</sup> persons from poor families and that they belong to backward class, that there may be some vacancies available in the office of the respondents, that the respondents are likely to fill up those vacancies and they may be given employment. It is not possible to help them having regard to the fact that employment can be made only in the prescribed manner and in the process interest of backward class people is duly protected.

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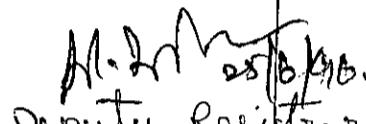
5. The O.A. thus discloses no cause of action. The same is therefore dismissed. We dismiss the same on merits acting u/r 15(2) of the C.A.T. (Procedure) Rules and did not think it proper to dismiss it for default. No order as to costs.

  
(H. Rajendra Prasad)  
Member (A)

  
M.G. Chaudhari

(M.G. Chaudhari)  
Vice Chairman

Dt.18-6-96  
(Open Court dictation)

  
M.L. M 25/6/96.  
Deputy Registrar (O.C.)

kmv



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To

1. The Regional Provident Fund Commissioner No.1  
Barkatpura, Hyderabad-27.
2. The Sub Regional Provident Fund Commissioner Gr.II  
Khaleel Wadi, Nizamabad Dist.
3. One copy to Mr. M. Kalidas, Advocate, Advocates' Association  
High Court Building, Hyderabad.
4. One copy to Mr. S. LakshmiKanta Rao, Standing Counsel, CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

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I COURT

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE M.G.CHAUDHARI  
VICE-CHAIRMAN

AND

THE HON'BLE MR.H.RAJENDRA PRASAD:M(A)

Dated: 18-6-1996

ORDER/JUDGMENT

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

in

O.A.No. 675/96 675/96

T.A.No. (W.P. )

Admitted and Interim Directions  
issued.

Allowed.

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm

केन्द्रीय प्रशासनिक अधिकारण  
Central Administrative Tribunal

प्रेषण/DESPATCH

- 1 JUL 1996

हैदराबाद यायपीठ  
HYDERABAD BENCH