

(94)

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 Lakshmikantha 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. Lakshmikantha 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

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
Project-^{affected}vacated persons to be employed and the only rule
is that candidates sponsored by the Employment Exchange
are considered. The learned counsel states on instruc-
tions 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 selec-
tion is made in the prescribed manner and reservation
according to roster point is taken into account. We do
not therefore find any occasion ^{for the applicants} 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 ^{some} interviews
are being held on 10-6-96 they filed 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

(28)

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-^{affected} ~~vacated~~ 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 applicant, boils down to saying that ^{they are} 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.

huh

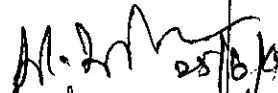
28

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)
Vice Chairman

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


Deputy Registrar (C.C.)

kmv

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.

pvm.

47/96

I COURT

TYPED BY

CHECKED BY

COMPARED BY

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. 695/96 675/96.

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

