

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

\*\*\*

O.A. 868/97.

Dt. of Decision : 09-03-99.

G. Dayanand

.. Applicant.

Vs

1. The Defence Metallurgical  
Research Laboratory,  
Rep. by its Director,  
Kanchanbagh, Hyderabad.

2. Ch. Prabhakar

.. Respondents.

Counsel for the applicant : Mr. P. B. Vijaya Kumar

Counsel for the respondents : Mr. V. Rajeswara Rao, Addl. CGSC  
(for R-1)

Mr. G. Vijaya Sagar for R-2.

CORAM:-

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

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

*R*

..2/-

*1*

-2-

ORDER

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

Heard Mr.P.B.Vijaya Kumar, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned counsel for the official respondent and Mr.G.Vidya Sagar, learned counsel for R-2.

2. The applicant in this OA was sponsored by the Employment Exchange for consideration to the post of Technician-A to fill up the backlog vacancy. More than hundred attended the interview and 5 were selected by the committee. The applicant submits that in the practical test he was informed that he figured as No.1. He was expecting selection and employment. But he was not selected and R-2 was selected.

3. This OAT is filed to call for the entire file with regard to the recruitment to Technician-A in pursuance of the call letter No.DMRL/E/8/SRD/O dated 27-12-97 including the proceedings of <sup>the</sup> selection and appointment of R-2 and declare the proceedings as arbitrary, illegal and malafide and for a further direction to appoint the applicant by nullifying the selection and appointment of R-2.

4. A reply has been filed in this OA. It is an admitted fact that the selection was held for filling up the post of Technician-A. There is no doubt at all that the applicant was ~~not~~ considered for that selection. He was considered for the selection as evident from the reply. The qualification of the applicant as well as R-2 has been given in Page-3 of the reply. The applicant appears to have less

R

..3/-

1


-3-

qualified compared to R-2. In page-4 of the reply the respondents have indicated the views of Dr. Trilok Singh, Scientist-F, Chairman of the Selection Board which met on 21-1-97 in regard to certain contentions made by the applicant in the OA. Dr. Trilok Singh has categorically stated that the applicant is less meritorious compared to R-2 for the reasons stated therein. By perusing the selection proceedings nothing further will come <sup>out</sup> as the respondents themselves have extracted the views of the selection committee in the reply.

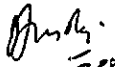
5. In view of what is stated above we do not think ~~that~~ any irregularity has been committed in selecting R-2 for that post. Hence, the OA is liable only to be dismissed. Accordingly it is dismissed. No costs.

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

9.3.99

  
(R. RANGARAJAN)  
MEMBER (ADMN.)

Dated : The 09th March, 1999.  
(Dictated in the Open Court)

  
11.3.99.

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Copy to:

1. MDHND
2. HHRP M(A)
3. HBSJR M(J)
4. D.R.(A) ✓
5. SPARE ✓

1st AND IIND COURT

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD.

~~THE HON'BLE MR. JUSTICE D.H. NASIR:~~  
~~VICE CHAIRMAN~~

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

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

THE HON'BLE MR. B.S. JAI PARAMESWAR  
MEMBER (J) ✓

DATED: 9.3.99

ORDER/JUDGEMENT

MA./RA./CP.No.

IN

O.A. NO. 868/97

ADMITTED AND INTERIM DIRECTIONS  
ISSUED.

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED ✓

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

SRR

(6 copies)

