

7

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A.No.677/93

Date of order: 24.7.1995

Ambrish Kumar Pareek : Applicant

Vs.

Union of India & Ors. : Respondents

Mr.Virendra Lodha : Counsel for applicant

Mr.N.K.Jain : Counsel for respondents

CORAM:

Hon'ble Mr.O.P.Sharma, Member(Adm.)

Hon'ble Mr.Ratan Prakash, Member(Judl)

PER HON'BLE MR.O.P.SHARMA, MEMBER(ADM.)

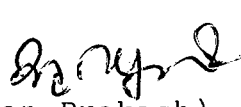
In this application under Sec.19 of the Administrative Tribunals Act, 1985, Shri Ambrish Kumar Pareek has prayed that the applicant may be allowed to sit in the examination being conducted at Jaipur from 6th to 8th December, 1993 for the post of Section Supervisor.

2. We have heard the learned counsel for the parties. The applicant was allowed to appear in the said examination in view of the interim direction issued by the Tribunal on 3.12.'93. However, there is no prayer that if successful he should be granted promotion. However, the learned counsel for the respondents pointed out that the applicant had been promoted as U.D.C. on regular basis on 20.6.1991 and his date of seniority has also been shown as 20.6.1991 in the seniority list. In December 1993, the applicant had completed only about 2½ years service as U.D.C, whereas as per the eligibility criterion he had to ^{have} 3 years service before he could ^{be} eligible for appearing in the examination. Therefore, the applicant is not entitled for promotion on the basis of appearance in the examination in December 1993, even if he ^{is} found to have passed the examination. In these circumstances, this application does not survive. However, as per order dated 12.5.1995 passed by the Regional Provident Fund Commissioner, Rajasthan, Jaipur, the applicant

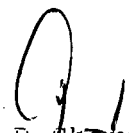
8

has already been declared successful in the examination held in December 1994 and his name figures at Sl.No.3 in the merit list of general candidate. He would be therefore, eligible for promotion in his turn, as and when vacancy arises.

3. The O.A. is dismissed with no order as to costs.


(Ratan Prakash)

Member(Judl)


(O.P.Sharma)

Member(Adm.).