

(6)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR .

* * *

Date of Decision: 19th Sept 2000

OA 393/94

Rajendra Kumar Gupta s/o Shri Nand Lal Gupta r/o 27, PST Colony, Opp.NBC Coal Depot, Shanti Nagar, Hatwada Road, Jaipur.

... Applicant

v/s.

1. Union of India through Secretary, Ministry of Information & Broadcasting, Govt. Of India, Central Secretariat, New Delhi.
2. Director General, Doordarshan, Mandi House, New Delhi.
3. Director, Doordarshan Kendra, Jhalana Doongri, Jaipur.

... Respondents

CORAM:

HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER

HON'BLE MR.N.P.MAWANI, ADMINISTRATIVE MEMBER

For the Applicant

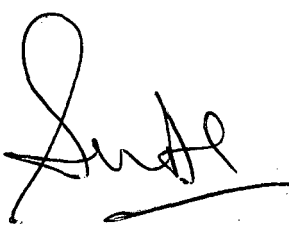
... Mr.P.P.Mathur, proxy counsel
for Mr.R.N.Mathur

For the Respondents

... Mr.U.D.Sharma

O R D E R

PER HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER

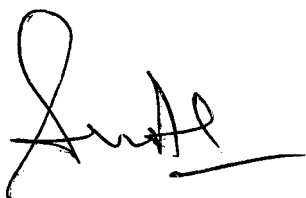
 In this OA filed u/s 19 of the Administrative Tribunal Act, the applicant makes a prayer to appoint him on the post

his
of Floor Assistant according to merit by giving preference
to him as per the decision given in OA 453/92, Sanjeev
Kumar Sharma v. Union of India, decided on 11.1.93.

2. In the reply it is stated that against the sanctioned strength of 12 posts of Floor Assistant, five posts had already been filled up before issuance of the advertisement and the advertisement was issued only to fill up 7 posts. It is stated in the reply that all the 7 posts had already been filled up from the persons duly selected by the duly constituted selection committee. It is further stated that Shri Chetan Prakash, who was at Sl.No.1 in the reserve list, was appointed as the candidate at Sl.No.4 of the main list could not be given appointment due to adverse Police verification. It has also been made clear in the reply that on account of transfer of Shri Anurag Darshan to Shopal, the post was filled up by transfer of Shri Dewan Singh Negi. Therefore, no vacancy exists for giving appointment to the applicant and the applicant is not entitled to any relief sought for.


3. Rejoinder has also been filed by the applicant, which is on record.

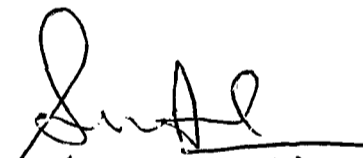
4. Heard the learned counsel for the parties and also perused the whole record and the concerning selection file.



5. It is not disputed that the name of the applicant was not in the main list, which was prepared for appointment of 7 candidates on the post of Floor Assistant. On the perusal of original record it appears that the applicant was placed at Sl.No.3 in the reserve list but only Shri Chetan Prakash could be appointed due to adverse police verification report against a person who was placed at Sl.No.4 of the main list. As all the vacancies appear to have been filled up, therefore, the applicant, who is at Sl.No.3 of the reserve list, has no case for appointment on the post of Floor Assistant and he is not entitled to any relief sought for.

6. We, therefore, dismiss this OA having no merits with no order as to costs.


(N.P.NAWANI)
MEMBER (A)


(S.K.AGARWAL)
MEMBER (J)