

Date of Decision: 6.1.95.

OA 12/95

ABDUL REHMAN

... APPLICANT.

Versus

UNION OF INDIA & ORS.

... RESPONDENTS.

CORAM :

HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

HON'BLE MR. N.K. VERMA, MEMBER (A).

For the Applicant

... SHRI S. KUMAR.

For the Respondents


... ———

PER HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

We have heard the learned counsel for the applicant. In this application u/s 19 of the Administrative Tribunals Act, 1985, the applicant has claimed modification of Annexure A-1 dated 9.10.94 and has prayed for the inclusion of his name in the list of eligible candidates for appearing at the trade test to be convened by the respondents. He has further prayed for regularisation in the post of Truck Driver in terms of a decision of this Tribunal in OA 279/93 rendered on 14.9.94. The operative portion of the decision reads as follows :-

"It is obvious that the applicant has served as a Truck Driver even though on an ad-hoc casual basis since 1985. He has served as a Truck Driver for the last 9 years and as such he is entitled to consideration for regularisation in the said post subject to his passing the requisite trade test and as per the extant rules. We, therefore, dispose of this OA with the direction to the respondents to consider the applicant's case for regularisation in the post of Truck Driver subject to his passing the requisite trade test and fulfilling the other requirements of the extant rules. There shall be no order as to costs."

2. If the applicant is not being permitted to appear at the trade test for the post of Truck Driver, he may file a Contempt Petition. This subsequent application, claiming substantially the same relief, is not permissible. This application is, therefore, dismissed at the admission stage.

  
( N.K. VERMA )  
MEMBER (A)

  
( GOPAL KRISHNA )  
MEMBER (J)