

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 5.8.97

OA 487/96

Rajesh Kumar, r/o Ambedkar Colony, Bandikui, Distt. Dausa.

... Applicant

Versus

1. Union of India through Secretary, Ministry of Defence, New Delhi.
2. Commander Works Engineer (Army), Multan Line, Jodhpur.
3. Commander Works Engineer (Air Force), Multan Line, Jodhpur.

... Respondents

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HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.O.P.SHARMA, ADMINISTRATIVE MEMBER

For the Applicant ... Mr.K.N.Sharma

For the Respondents ...

O-R-D-E-R

PER HON'BLE MR.GOPAL KRISHNA, VICE-CHAIRMAN

Applicant, Rajesh Kumar, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, seeking quashing of the order dated 16.4.96 and a direction to the respondents to consider his candidature for the post of Carpenter.

2. We have heard the learned counsel for the applicant and have gone through the records of the case carefully.

3. Applicant's case is that pursuant to an advertisement "published in the employment newspaper on 16.4.93" he applied for the post of Carpenter in the prescribed form to respondent No.3 i.e. Commander Works Engineer (Air Force), Multan Line, Jodhpur. The applicant was not called for interview for the said post. It is stated in the communication, at Ann.III, dated 27.4.93, that the application alongwith its connected documents in respect of the applicant's request for the post of Carpenter was erroneously received in the office of the Commander Works Engineer (Army), Multan Line, Jodhpur, and the same was, therefore, forwarded to the Commander Works Engineer (Air Force), Multan Line, Jodhpur. The application moved by the applicant for the post of Carpenter was received in the office of the Commander Works Engineer (Air Force) on 29.4.93. However, the process of selection was finalised in the office of the Commander Works Engineer (Air Force) on 28.4.93. It is noteworthy that the applicant has incorrectly mentioned in his Original Application that his application for the post of Carpenter was received in ~~Copybook~~ the office of the Commander Works Engineer (Air Force) on 27.4.93, whereas

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- 2 -

the fact is that it was received in that office on 29.4.93. The entire process of selection for the post of Carpenter was finalised on 28.4.93. There is nothing on the record to show that the applicant had addressed his application correctly to the concerned authority. Prudence required that the applicant should have sent his application for the post of Carpenter either under registered cover or under a certificate of posting. Since the selection process for the post of Carpenter was over on 28.4.93 and this Original Application has been filed on 3.9.93, after a period of considerable delay, no judicial intervention is called for in this case. This application is, therefore, dismissed at the stage of admission.

(O.P.SHARMA)

ADM.MEMBER

G.Kulje^r
(GOPAL KULSHRMA)

VICE CHAIRMAN

VK