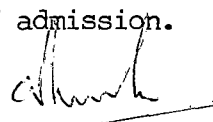



**In The Central Administrative Tribunal
Jaipur Bench, Jaipur**

OA./TA/MP No530/99.....199

.....Ram Kishan.....Versus.....Engineer-in-Chief & Ors.....

Date of Order	Orders
25.11.99	<p>Mr. D.R.Mardia, counsel for the applicant</p> <p>Heard.</p> <p>It appears that it is a second phase of litigation. Earlier the applicant has filed Original Application which he has withdrawn in the year 1994. The withdrawal was allowed with a liberty to file a fresh Original Application. The applicant has again come before this Tribunal by this Original Application with a prayer that respondents may be directed to appoint the applicant on the post of LDC against SC quota as per result submitted by the Board of Officers in October 1987 and to allow him all consequential benefits. It also appears that the applicant was given a reply that he did not clear the test, therefore, he cannot be appointed.</p> <p>We have perused the whole record and come to this conclusion that this Original Application is hopelessly barred by limitation. Not only this, even on merits it is the settled position of law that once a candidate has participated in the process of selection, he is stopped from challenging the selection on the ground that selection was not proper. In <u>University of Cochin Vs. N.S.Kanjoo Jamma and Ors.</u> AIR 1977 SC 2083 and a recent judgment delivered by the Supreme Court in <u>Union of India and Anr. Vs. N.Chandrasekharan and Ors.</u>, 1998 (3) SCC 694, it has been held by the Supreme Court that once a person has participated in the process of selection he is not permitted to challenge the same on the ground that he has not been properly selected. In view of the settled legal position and the Original Application which is grossly barred by limitation, we dismiss this Original Application in limine at the stage of admission.</p> <p> (N.P.NAWANI) Adm. Member</p> <p> (S.K.AGARWAL) Judl. Member</p>

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