

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 4.9.2001

OA No. 360/2000

Radhey Shyam Sharma s/o Shri Dunga Ram Sant r/o Khanewali Dhani,
Village & Post Morija, Tehsil Chomu, Distt. Jaipur, working as Meter
Reader, in the office of Garrison Engineer, Khatipura Road, Jaipur

..Applicant

Versus

1. Union of India through the Secretary, Ministry of
Defence, Delhi.
2. The Chief Engineer (MES), Southern Command, Pune-I.
3. The Chief Engineer (MEC), Jaipur Zone, Jaipur
4. The Chief Engineer, Air Force, Ahmedabad, Camp Hanuman,
Ahmedabad.

.. Respondents

None present for the applicant

Mr. P.C.Sharma, proxy counsel to Mr. Sanjay Pareek, counsel for the
respondents

CORAM:

Hon'ble Mr. S.K.Agarwal, Judicial Member

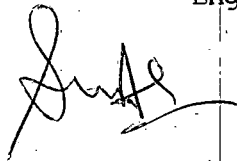
Hon'ble Mr. S.A.T.Rizvi, Administrative Member

ORDER

Per Hon'ble Mr. S.K.AGARWAL, Judicial Member

In this Original Application filed under Section 19 of
the Administrative Tribunals Act, prayer of the applicant is to direct
the respondents to consider the candidature of the applicant for
promotion on the post of Supervisor Barrak and Store Gr.II. and quash
the notifications dated 3.6.2000, 10.6.2000 and 27.4.2000.

2. The case of the applicant, in nutsheel, is that the
applicant is working as Meter Reader in the office of Garrison
Engineer, Khatipura Road, Jaipur. It is stated that the applicant was

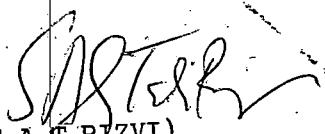


fulfilling all the essential qualifications for the post of Supervisor Barrak and Store Gr.II and he appeared in the written test/interview, but he was not appointed/promoted. The applicant submitted a representation on 11.7.2000, but the same was not replied. Thereafter the applicant filed another representation, but with no result. Hence, the applicant has filed this OA for the reliefs as stated above.

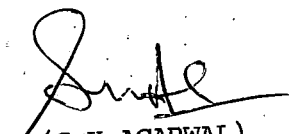
3. Reply was filed. In the reply it is stated that the applicant could not be offered the appointment because his name was placed in the reserve list. It is also stated in the reply that only one post was required to be filled in and only one Shri Deepak Wadhvani was appointed. It is made clear that applicant was a reserve candidate for the contingency, in case Shri Deepak Wadhvani fails to accept the offer of appointment. As Shri Deepak Wadhvani has accepted the offer of appointment, in our considered view, the applicant has no case. Merely that applicant was empanelled does not confer him indefeasible right to get the appointment.

4. In view of above all, we are of the considered view that applicant has no case for interference by this Tribunal and the OA is devoid of any merit and liable to be dismissed.

5. We, therefore, dismiss this OA having no merits at the stage of admission with no order as to costs.


(S.A.T. RIZVI)

Adm. Member


(S.K. AGARWAL)

Judl. Member