

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No.538/2017

New Delhi, this the 15th day of February, 2017.

HON'BLE MR. JUSTICE PERMOD KOHLI, CHAIRMAN
HON'BLE MR. K.N.SHRIVASTAVA, MEMBER (A)

Uravashee Kumar
W/o Shri Saikat Dasgupta,
Aged about 52 years
239, Sector 21 B,
Faridabad-121001,
Haryana.

... Applicant

(By Advocate: Shri Roshan Saini)

Versus

1. Union of India,
Through Secretary,
Ministry of Agriculture and Farmers Welfare,
Government of India,
Department of Agriculture,
Cooperation & Farmers Welfare,
Krishi Bhawan,
New Delhi-110001.
2. The Chairman,
Union Public Service Commission,
Dholpur House, Shahjahan Road,
New Delhi-110011
3. State of Haryana,
Through Chief Secretary,
Haryana Civil Secretariat, Chandigarh
4. Dr.A.K. Sinha,
Plant Protection Adviser,
Directorate of Plant Protection Quarantine & Storage,
NH-4, NIT Faridabad
(Haryana)-1210001.

... Respondents

ORDER (ORAL)

By Mr. Justice Permod Kohli:

The applicant has questioned the order dated 28.07.2004 passed by the respondents appointing Respondent No.4 as Joint Director (Plant Pathology) in the Directorate of Plant Protection, Quarantine & Storage on deputation/absorption basis. It is stated that the said appointment of Respondent No.4 was procured by fraudulent means. It is further stated that the applicant came to know about alleged fraudulent appointment only by RTI information secured by him in the year 2015-16. Admittedly, the applicant was not in the cadre of Respondent No.4 at the time of his appointment. Earlier, the applicant had approached the Hon'ble High Court and the Writ Petition was allowed to be withdrawn with liberty to approach the CAT with some strictures against the applicant. The relief claimed by the applicant is barred by time. Otherwise also, this does not constitute a service dispute between the applicant and the Respondent No.4 and thus not cognizable by this Tribunal. Present OA is frivolous and meritless. The applicant has also alleged that the transfers of the applicant by the Respondent No.4 are bad in law. From the prayer, we find that no transfer order is in question before us in the present OA.

(3)

2. For the above reasons, this OA deserves to be dismissed. We order accordingly.

(K.N.Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

/kdr/