

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD**

Original Application No.20/749/2019

Date of Order: 22.08.2019

Between:

Mr. Koyye John Ratnam
S/o Ganga Raju, Aged about 29 years
R/o 14-128, MIG-I-104, APHB Colony
PM Palem, Visakhapatnam – 530041.

.... Applicant

AND

Union of India
Represented by Its Director
Institute of Forest Bio-diversity
Under the Ministry of Environment, Forests &
Climate Change, Government of India
P.B. No.2129, Deulapally, Kompally (S.O)
Hyderabad – 500 100.

... Respondent

Counsel for the Applicant ... Mr. K. Sudhakar Reddy

Counsel for the Respondents ... Mrs. K. Rajitha, Sr. CGSC.

CORAM:

Hon'ble Mr. B.V. Sudhakar, Member (Admn.)

ORAL ORDER

2. The OA is filed in regard to selection/appointment to the post of Driver in the respondent's organization.

3. Brief facts of the case are that the respondent, i.e., Indian Council of Forestry Research and Education, issued the Notification dated 17.4.2018 to fill up the post of Driver (Ordinary Grade) in the scale of Rs.19900-63200 (Level 2). The eligibility qualifications were to have the education qualification of Matriculation from a recognized Board and should possess a valid Motor Car Driving License with driving experience of three years or more. The applicant having fulfilled the eligibility qualification, applied for the post in question and his name was shortlisted and empanelled vide selection panel dated 01.10.2018 (Annexure A-II). However, till date, no orders of appointment have been issued. Hence, the OA.

4. The contentions of the applicant are that he possessed the Light Motor Vehicle (Non Transport) [in short LMV] driving license issued by the Road Transport Authority, Visakhapatnam on 15.12.2011, which is valid upto 14.12.2031. As per the Important Note mentioned in the Notification referred to hereinbefore, the candidate(s) were directed to bring the copy of the driving license along with all the original certificates, otherwise they will not be allowed for the examination/test.

5. Mrs. K. Rajitha, learned Senior Standing Counsel appeared, on receiving an advance copy of the OA and submitted that necessary instructions would be obtained from the respondent. However, at the very outset, it is noticed, from the pleadings of the case, that the applicant has not made any representation to the concerned authorities.

6. Heard both the learned counsel and perused the pleadings on record.

7. (I) As the applicant fulfilled the eligibility criteria, he was short listed on 01.10.2018. Learned counsel for the applicant, while submitting the case, has stated that the respondent has issued the empanelled list on 01.10.2018 selecting two candidates, namely, Mr. Satya Sai Rohit B. [Admit Card No.2018/FRCCE/DR/32] and the applicant [Admit Card No.2018/FRCCE/DR/28]. Mr. Rohit having secured higher marks, he is entitled to be appointed. However, learned counsel for the applicant, has submitted that at the time of conducting the Trade Test, the candidate, Mr. Rohit did not possess the requisite driving license. Applicant has enclosed the driving license issued to Mr.Rohit with the date of issue as 24.09.2018, whereas the Trade Test was conducted on 14.09.2018. Hence, Mr. Rohit is not eligible is the contention of the applicant. Tribunal noticed that the date of first issue of the driving license of Mr. Rohit has been mentioned as 26.12.2012. Therefore, it is not clear from the pleadings that the issue date

mentioned as 24.09.208 is a renewal of the old license or fresh one, hence, Tribunal cannot express any view in the matter.

(II) Besides the respondents have not taken any decision though nearly an year has lapsed after conduct of the written examination.

(III) In view of the above, and as the applicant has not made any representation to the concerned regarding his grievance, he may submit a representation, if so advised, stating the facts, rules and the relevant law on the subject, to the respondent, within a week from the date of receipt of a copy of this order, and the respondent, on receipt of any such representation, shall dispose of the same within a period of 8 weeks, by issuing a speaking and a well reasoned order.

With the above observations, the OA is disposed of, with the consent of both the counsel. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

Dated, the 22nd day of August, 2019

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