

(2018) 07 CAT CK 0023

In the Central Administrative Tribunal

Case No : Original Application No. 2719 Of 2012

Hari Krishnan

APPELLANT

Vs

Union Of India And Ors

RESPONDENT

Date of Decision : 26-07-2018

Acts Referred:

Citation : (2018) 07 CAT CK 0023

Hon'ble Judges : L. Narasimha Reddy, J; Aradhana Johri, Member (A)

Bench : Division Bench

Advocate : Ajesh Luthra, Aishwarya Dobhal, Hilal Haider, Aruna Mathur, Nishkant Pandey

Final Decision : Dismissed

Judgement

L. Narasimha Reddy, J

1. The applicant appeared in the Civil Services Examination conducted for the vacancies of the year 2009. Based upon his merit, he was allotted to Indian Forest Service (IFS). The applicant hails from the state of Kerala. In the context of allocation of cadres to the candidates in various states, Ministry of Environment and Forest issued Notification dated 08.07.2011. The applicant was allotted to the State of West Bengal. Same is challenged in this OA.

2. The applicant contends that had the respondents properly implemented the Office Memorandum dated 10.04.2008 issued by the Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, eight vacancies would have been available for the State of Kerala, and the applicant was entitled to be allotted against one such vacancy.

3. The respondents filed the counter affidavit opposing the OA. It is stated that the vacancies for the State of Kerala were worked out strictly in accordance with the office memorandum dated 10.04.2008, and on finding that these vacancies are available for that year, two outsider candidates and one insider candidate were allotted. The respondents contend that the contention advanced by the

applicant that eight vacancies are available for the State of Kerala, is totally imaginary.

4. We heard Shri Ajesh Luthra, learned counsel for the applicant and Ms. Aishwarya Dobhal for Shri Hilal Haider, learned counsel for respondent Nos.1 to 3.

5. It is strongly argued on behalf of the applicant that eight vacancies would have been available for the concerned year for the State of Kerala. A perusal of the OM dated 10.04.2008 clearly indicates the manner in which the vacancies are to be filled in a year. Much emphasis is laid on the initial exercise which is to be undertaken for preparation of 200-point roster. That stage has already been crossed in the first year itself. It is mentioned that only three vacancies were available for the State of Kerala for the year in question. The list of allotment discloses that the candidates at Sl. No.14, 15 & 19 were allotted the State of Kerala. The candidates at Sl. No.14 & 19 are from Andhra Pradesh and Haryana respectively, whereas the candidate at Sl. No.15 is from Kerala. Thus, two outsiders and one insider were allotted for three vacancies. Therefore, no illegality can be said to have taken place in allotting the candidates.

6. The OA is accordingly dismissed. There shall be no order as to costs.