

- **If an Appellant does not properly apply for a post, he will have no *locus standi*.**
- **The Tribunal will then have no choice but to dismiss the appeal under section 6(4)(a) of the Public Bodies Appeal Tribunal Act 2008.**

The Appellant lodged an appeal challenging the decision of the Respondent to appoint the Co-Respondents to the post of LD/Senior LD in a temporary capacity in the Ministry of ... hereafter referred to as the Ministry.

Appellant's Case

The Appellant submitted a very long statement of case which he annexed to the Appeal Form to be considered as his Grounds of Appeal (GOA). He explained in detail that he was working as REC at ... and he was not made aware of the internal notice of vacancies for the post of LD/Senior LD in the Ministry. He became aware of it only on the ... when the closing date for submission of the application was fixed for the....

He further explained that he wrote to the Ministry to enquire about same. After several representations to the Ministry, he finally submitted his application for the post on the ... with an explanation attached to the Application Form.

The interview for the said post was carried on the ... and ... but he was not called for interview.

Respondent's Case

The Respondent submitted a Ground of Objection (GOO) which read as follows:

"Respondent moves that the Appeal be set aside inasmuch as: -

- (a) Appellant has no locus standi to lodge the present appeal as he did not properly apply for the post in question; and*
- (b) The appeal is frivolous and vexatious".*

Determination

It is confirmed from the notice of vacancy from the Ministry dated ..., which had been annexed by Appellant in the Appeal Form, that Application Forms for the said post should reach the Human Resources Section of the Ministry not later than ...

The Appellant averred that his application was made on the ... thus outside the closing date. Furthermore, the copy of the Application Form, allegedly submitted to the Ministry and annexed in the Appeal Form, was not even signed by Appellant. This means that there had not been any application.

The Tribunal has given due consideration to the GOO and finds that it has been rightly raised.

Therefore, the Tribunal, acting under the powers conferred to it under section 6(4)(a) of the Public Bodies Appeal Tribunal Act, dismisses the appeal.