

CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

O.A.210/0068/2020

Date of decision : January 17, 2020.

Coram: Dr.Bhagwan Sahai, Member (Administrative)
R.N. Singh, Member (Judicial)..

Dhartiben Kanubhai Kurkutia
Aged about 23 years,
Residing at Morkhal Chokipada,
Post Kilvani, Dadra and Nagar
Haveli, Silvassa-396 230.
Kurtindhati@gmail.com
8758634464
U.T. Dadra and Nagar Haveli.

.. Applicant.

(By Advocate Shri A. A. Manwani).

Versus

1. The Administrator,
Dadra and Nagar Haveli,
Silvassa-396230.
2. Chairman, Staff Selection Board
Dadra and Nagar Haveli,
Silvassa-396230.
3. Secretary, Staff Selection Board
Union Territory of Dadra
and Nagar Haveli, Silvassa-396230.
4. Director, Education Department,
Union Territory of Dadra and
Nagar Haveli, silvassa-396230.
5. Deputy Secretary, Personnel,

Staff Selection Board,
Union Territory of Dadra
and Nagar Haveli,
Silvassa-396230.

.. Respondents.

O R D E R (O R A L)

Per : R. N. Singh, Member (Judicial)

Present.

1. Shri A. A. Manwani, learned counsel for the applicant.
2. Heard the learned counsel for the applicant.
3. The applicant has filed the present OA under Section 19 of the Administrative Tribunals Act 1985, praying therein for the following reliefs:

"(a) That this Hon'ble Tribunal will be pleased to call for the records and proceedings relating to selection for the Post of Statistical Investigator and after going through the legality or otherwise thereof, this Hon'ble Tribunal will be pleased to direct the Respondents to appoint the Applicant for the said Post as she has complied with all the requirements and is eligible for the said Post.

(b) That the costs of this Application be awarded in favour of the Applicant; And

(c) That such other and further reliefs as are expedient be granted in favour of the Applicant."

4. The learned counsel for the applicant submits that in pursuance of advertisement dated 29.08.2018 (Annexure A-4), the applicant applied for the post of Statistical Investigator under the respondents and on undergoing the selection process as stipulated by the respondents the applicant was declared successful. Further she was required to remain present on 15.07.2019 for verification of documents for the said post. The applicant remained present on the date so advised by the respondents and her documents were verified by the authorities under the respondents.

5. At present the grievance of the applicant is that inspite of the fact that the applicant's documents verification was conducted on 15.07.2019 and she is the only successful candidate for the post of Statistical Investigator, even after lapse of more than six months, the applicant has not been offered the appointment.

6. The learned counsel for the applicant submits that for redressal of her grievances, the applicant has preferred representations dated 09.09.2019 and 25.10.2019 (Annexure A-1 Colly.) followed by another representation dated 06.01.2020 (Annexure A-1). However, the same have not been considered and responded to by the respondents.

7. The learned counsel for the applicant submits that the applicant shall be satisfied if the present OA is disposed of with directions to the respondents to consider the applicant's aforesaid representations and disposed of the same by passing an appropriate order.

8. In the facts and circumstances, we are of the considered view that if such request of the applicant is accepted, no prejudice is likely to be caused to the respondents.

9. In view of the aforesaid, without going into the merit of the claim of the applicant and limitation involved, the OA is disposed of with directions to the respondents to consider the applicant's representations dated 09.09.2019,

25.10.2019 (Annexure A-7 Colly.) and 06.01.2020 (Annexure A-1) and pass an appropriate order in accordance with relevant rules and instructions as expeditiously as possible and in any case within six weeks from the date of receipt of certified copy of this order.

14. The OA is disposed of in the aforesaid terms.

12. No order as to costs.

(R. N. Singh
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

V.

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