

(4)
M.A. NO.1123/05
IN
O.A. NO.198/05

10.03.2005

HON'BLE MR. JUSTICE S. R. SINGH, VICE-CHAIRMAN
HON'BLE MR. S. C. CHAUBE, MEMBER-A

Shri S. Mandhyan, counsel for the applicant and
Shri A.K. Gaur, counsel for the respondents.

The original application was disposed of by order dated 28.02.2005 with a direction to decide the representation of the applicants in accordance with law. It appears, that the respondents have initiated the process of selection and the instant misc. application no.1123/05 has been filed seeking modification of the order dated 28.02.2005 by requiring the respondents not to proceed with the selection for the post of Assistant Programmer in the pay scale of Rs.7540-11500/- (RSRP) till the representation dated 19.02.2005 is decided pursuant to the direction given by the Tribunal vide order dated 28.02.2005.

Having heard counsel for the parties, we are of the view that the order passed by the Tribunal warrants no modification. In as much as if the respondents proceed with the selection they would be doing so at their own risk for any such selection would be subject to the order that may be passed by the respondents on the representation filed by the applicants and would also be open to challenge at the behest of the applicants.

In the circumstances, therefore, the M.A. No.1123/05 is disposed of in terms of the above observation.

A copy of the order be made available to the counsel for the parties by tomorrow.

Shank
Member-A

R.S.
Vice-Chairman

/NEELAM/