

Item No. 11



**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**O.A. No. 1977/2021  
M.A. No. 2502/2021  
M.A. No. 2501/2021**

**This the 10<sup>th</sup> Day of September, 2021**

(Through Video Conferencing)

**Hon'ble Mr. A.K. Bishnoi, Member (A)  
Hon'ble Mr. R.N. Singh, Member (J)**

Manoj Paul  
S/o Shri Nirod Bihari Paul  
R/o Madhupur-1, Diglipur  
North Andaman, A&N Islands, 744202.

... Petitioner

(Applicant in person)

**Versus**

1. The Chairman, DMRC Ltd.  
Delhi Metro Rail Academy (DMRA)  
Train Depot, Shastri Park  
Delhi – 110053.
2. Government of NCT of Delhi  
Through its Chief Secretary  
Delhi Secretariat, Players Building  
IP Estate, New Delhi-110002.

... Respondents

(By Advocate : Sh. V.S.R. Krishna for R.No. 1 and Sh. H.A. Khan for R. No. 2)



## O R D E R (ORAL)

**Hon'ble Mr. R.N. Singh, Member (J) :**

When the matter was taken up, there was none on behalf of the applicant. However, when we were to rise, the applicant appeared and he said that because of some technical fault with his system, he could not participate in the proceedings when the matter was called out initially. He has further added that he has come to Delhi from Andaman & Nicobar Islands and he is having no money to come again on the next date, i.e., 29.09.2021. In the aforesaid facts and circumstances, at the request of the applicant and with the consent of the learned counsel for the respondents, the matter has been taken up again and has been heard.

2. In the present OA filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for the following reliefs:

- “ a) Issue direction to the respondents to provide appointment letter or joining letter to the applicant immediately.
- b) Issue direction to the respondents to produce the relevant documents related to the non-appointment of the applicant before this Hon'ble Tribunal.
- c) A direction to the respondents to disclose the authority or jurisdiction to not giving the appointment letter or joining letter to the applicant.
- d) Rule NiSi in terms of the prayer above.
- e) Issue direction to the respondents that the Applicant be granted with appointment on the undertaking given by him in the form of declaration cum affidavit on certified copies available to him

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regarding his (the applicant) acquittal in previous cases and furnish of remaining documents once it will be supplied to him if he has anything concealed and suppressed then he will be prosecuted.

f) Issue direction to the respondents for payment of arrears of salary with effect of 5.07.2021 of amount 60,000 per month for inadequate delay of appointment of applicant and depriving him.

g) Interim order restraining the respondent from giving appointment to any other candidate instead of the applicant.

h) Pass an ad interim order in terms of the prayer above.

i) Pass such other order or orders as this Hon'ble Tribunal may deem fit in the facts and circumstances of the case."

3. It is contended by the applicant that he has participated in the selection process initiated by the respondents and he was selected for the post of Junior Engineer/Environment(RNE04) in the year 2020. However, till date, in spite of the fact that he has been approaching the respondents time and again, the applicant has not been issued the offer of appointment to enable him to join the place of posting.

4. Issue notice. Sh. V.S.R. Krishna and Sh. H.A. Khan, learned counsel who appear on advance service for respondent nos. 1 and 2 respectively, accept notice. Sh. Krishna, learned counsel for respondent no. 1 does not dispute the participation and selection of the applicant for the post under reference. However, he submits that subsequent to his

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selection, it has come to the notice of the respondent that various FIRs are lodged and pending investigation/adjudication and in the circumstances, the applicant was requested to supply a copy of those FIRs and/or any further order/decision thereon.

5. The applicant submits that he has supplied the requisite documents and information to the respondent no. 1, on three or four occasions. However, this fact is vehemently disputed and opposed by Sh. Krishna, learned counsel for the respondents. At this stage, the applicant submits that he is willing and undertakes to supply a copy of all the FIRs and decision, if any, thereon to the respondent no. 1 positively within a week from today. Sh. Krishna, learned counsel for respondent no. 1 submits that if the aforesaid information/documents are supplied to respondent no. 1 by the applicant, the respondent no. 1 is willing and ready to consider and take a final decision about the issuance of the offer of appointment to the applicant.

6. In the aforesaid facts and circumstances, with the consent of the parties, the present OA is disposed of with liberty to the applicant to supply all the relevant information, copies of the FIRs against him, the decisions of the competent court on those FIRs, if any, as expeditiously as possible and preferably within ten days from today. On receipt of such

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information/documents from the applicant, the respondent no. 1 is directed to take a final decision with regard to the issuance of offer of appointment to the applicant for the post of Junior Engineer/Environment(RNE04) as expeditiously as possible and preferably within a period of four weeks of receipt of a copy of the relevant documents and information referred to hereinabove and communicate the same to the applicant within a week thereof. The OA is disposed of in the aforesaid terms. There shall be no order as to costs.

We may clarify that while disposing of the present OA, we have not gone into the merit.

**(R.N. Singh)**  
**Member (J)**

**(A.K. Bishnoi)**  
**Member (A)**

rk/ns