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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No.196 of 1988

Date of decision 22nd May, 1989

1. Pradipta Kumar Nanda, S/o Krushna Chandra Nanda,
Village-Hazari Sahi, P.O.Khairabad, Via-Jajpur
Dist.Cuttack.
 2. Jayaprakash Mohanty, S/o Late Nityananda Mohanty,
Village Uradha, P.O.Jhankada, P.S.Tirtol,
Dist.Cuttack.
 3. Srimati Kamini Tripathy, W/o Prafulla Kumar Tripathy
At-Anandadham, Stoney Road, (Dagarapara)
Town and Dist.Cuttack.
- Applicants

-Vs-

1. Union of Indixa represented through
Secretary Department of Information and
Boardcasting, New Delhi
 2. Director, Door Darshan Kendra,
Tulasipur, Cuttack-8
Town and Dist.Cuttack
- Respondents

For the Applicants	Mr.M.K.Mallick and Miss.Rupashree Mohanty, Advocates
For the Respondents.	...	Mr.A.B.Misra, Senior Standing Counsel (Central)

C O R A M :

THE HON'BLE MR.B.R.PATEL, VICE-CHAIRMAN
AND

THE HON'BLE MR.K.P.ACHARYA, MEMBER (JUDICIAL)

1. Whether reporters of local papers may be
allowed to see the judgment ? Yes
2. To be referred to the Reporters or not ? No
3. Whether Their Lordships wish to see the fair
copy of the Judgment ? Yes.

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J U D G M E N T

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K.P.ACHARYA, MEMBER (J) In this application under section 19 of the Administrative Tribunals Act, 1985, the applicants pray for a direction to the appropriate authority to allow the applicants to appear at the interview in audition test in order to enable them to become a Newsreader and so also to quash the results of the interview which took place on 28th, 29th and 30th June, 1988.

2. Shortly stated, the case of the applicants (three in number) is that Doordarshan Kendra, Cuttack published an advertisement calling for applications from intending candidates to appear at an audition test for discharging the duties of a News Reader on contractual basis and the remuneration payable is Rs.150/- per programme. This advertisement was published on 25.5.1988. The applicants ^{were} ~~was~~ not allowed to audition test. Hence, this application with the aforesaid prayer.

3. We have heard Mr.M.K.Mallick, learned counsel for the applicants and Mr.A.B.Mishra, learned Senior Standing Counsel (Central) at some length.

We are fully convinced that there is substantial force in the contention of Mr.A.B.Mishra, learned Senior Standing Counsel (Central) that the post for which the audition test is being held is not a civil post and hence there is no question of any cause of action in regard to recruitment to civil services, so far as the present case is concerned. Hence, according to Mr.A.B.Mishra, section 14 of the Administrative Tribunals Act, 1985, cannot be attracted

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and this Court cannot legitimately exercise jurisdiction over this case. We are in complete agreement with the aforesaid contention of Mr.A.B.Mishra. While disposing of the application as not maintainable, we would request the Director, Doordarshan Kendra, Cuttack to reconsider the case of the applicants and allow them for the audition test and this also finds place in paragraph 2(c) of the counter filed by the respondents. Therefore we ^{have} made such a request to the Director, Doordarshan Kendra.

4. Thus, this application is accordingly disposed of leaving the parties to bear their own costs.

L. S. Mishra
22/5/89
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Member (Judicial)

B.R.PATEL, VICE-CHAIRMAN,

I agree.

B. R. Patel
22.5.89
.....
Vice-Chairman

central Administrative Tribunal,
Cuttack Bench, Cuttack.
May 22, 1989/Sarangi.

