

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH : CUTTACK.

Original Application No.345 of 1988.

Date of decision : January 27,1989.

Baikuntha Mahanta, son of Sanatan Mahanta,
village- Sankarpur, P.O.Nelung, District-
Keonjhar.

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Applicant.

Versus

1. Union of India, represented by
Director-General, All India Radio,
Akashvani Bhawan, New Delhi.
2. The Station Director,
All India Radio,Cuttack.
3. The Assistant Station Director,
All India Radio, Keonjhar.
4. The Chief Engineer (East Zone),
All India Radio,Akashvani Bhawan,
Calcutta-700001.

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Respondents.

For the applicant ... M/s.R.N.Mohanty,
B.Beura, Advocates.

For the respondents ... Mr.A.B.Mishra,
Sr.Standing Counsel (Central)

C O R A M :

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

A N D

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

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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

K.P.ACHARYA, MEMBER (J) . In this application under section 19 of the Administrative Tribunals Act, 1985, the applicant prays to treat him as a candidate duly sponsored by the Employment Exchange and further be directed to be sponsored as a Clerk or Stenographer which is equivalent to the post of ' Work Munsii ' in pursuance to Annexure-7.

2. Shortly stated, the case of the applicant is that he is a Graduate in Arts having adequate knowledge of a Stenographer. In the year 1986, the installation work of the All India Radio, Keonjhar Station began and for the post of Work Munsii, Employment Exchange has sponsored some names including that of the applicant. This post of Work Munsii comes within the purview of workcharged establishment. By efflux of time the applicant has been retrenched from service having been brought within the category of work charged establishment. On this account, the applicant has a grievance and has filed this application with the aforesaid prayer.

3. In their counter, the respondents maintained that the case being devoid of merit, is liable to be dismissed.

4. We have heard Mr.R.N.Mohanty, learned counsel for the applicant and Mr.A.B.Mishra, learned Senior Standing Counsel (Central) at some length. Our attention was invited to Annexure-R/3 wherefrom we found that the applicant has worked as Mazdoor for 84 days and W/C/W/M for 180 days, the total number of working days being 264. The prayer

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of the applicant before us is to direct the respondents to consider the case of the applicant on compassionate grounds for the post of a Stenographer or a Clerk as he has already served the Institution ~~in~~ in different capacity for 264 days. We are nobody to adjudicate the suitability and eligibility of the applicant for consideration for appointment to posts of the above nature. We could only say, after hearing learned counsel for both sides that since the applicant has rendered his services to the institution in different capacity, the case of the applicant be considered for appointment to the post of either Stenographer or Clerk subject to the Rules prevalent and so also subject to his eligibility and suitability.

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

[Signature]
27.1.89
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Member (Judicial)

B.R.PATEL, VICE-CHAIRMAN,

9 agree.



[Signature]
27.1.89
.....
Vice-Chairman

Central Administrative Tribunal,
Cuttack Bench, Cuttack.
January 27, 1989/S.Sarangi.