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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 129 of 1993

Date of decision: 18.3.1993

B.C.Behera & another

Applicants

Versus

Union of India & Others

Respondents

For the applicants

Mr.D.N.Mishra,
Advocate

For the respondents

Mr.Ashok Mishra,
Standing Counsel
(Central Government)

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C O R A M:

THE HONOURABLE MR.K.P.ACHARYA, VICE-CHAIRMAN

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1. Whether the reporters of local newspapers may be allowed to see the judgment ? Yes
2. To be referred to reporters or not ? KD
3. Whether His Lordship wishes to see the fair copy of the judgment ? Yes

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J U D G M E N T

K.P.ACHARYA, V.C.

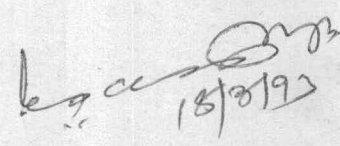
With the consent given by the counsel for both sides, I have heard this case on merit and I propose to dispose of finally as it would not be beneficial for anybody concerned to keep this matter pending.

2. Petitioner No.1 Shri Jameswar Swain was working under Opposite Party No.2 i.e. the Director of Census Operation Bhubaneswar from 18.4.1991 till 31.12.1991 and Petitioner No.2 Shri Bhakta Charan Behera was also working under the Opposite Party No.2 from 10.5.1991 to 31.12.1992. Both the petitioners are similarly circumstanced like that of the petitioners in Original Application Nos.8,83,105, 106,119,126 and 127 of 1993. Prayer of the petitioners is for consideration of their cases while adjudicating the suitability of different incumbents for appointment to 106 sanctioned posts. In case the petitioners have worked during the aforesaid period, their cases should also be considered alongwith the petitioners in the above mentioned original applications. Judgment passed in the above mentioned original applications have fullest application to the facts of the present case and therefore both the petitioners and Opposite Party No.2 should take the same steps as indicated in the above mentioned judgments and in the order dated 18.3.93 passed in the above mentioned cases within the stipulated period and thereafter the suitability of the petitioner be adjudged and further steps be taken as indicated in the judgments passed

in the above mentioned cases and order dated 18.3.93.

3. Since in some cases including the present case the Petitioners have been allowed to appear before the Opposite Party No.2 for adjudicating their suitability it may not be possible on the part of the Opposite Party No.2 to complete the selection process by the date already fixed in the above mentioned original applications. Therefore, the stipulated period has been extended by order dated 18.3.93 passed in the Original Applications' mentioned above and such order will also apply to this case.

4. This order is passed after hearing Mr.D.N. Misra learned counsel for the petitioner and Mr.Ashok Misra learned Senior Standing Counsel(Central) for the Central Government. Thus, this application is accordingly disposed of.No costs.


Vice-Chairman

Central Administrative Tribunal,
Cuttack Bench, Cuttack/B.K.Sahoo,
18.3.93.