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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH CUTTACK

Original Application No. 470 of 1993

Date of Decision: 2.9.1993

Pramod Chandra Das

Applicant(s)

VERSUS

Union of India & Others

Respondent(s)

(FOR INSTRUCTIONS)

1. Whether it be referred to reporters or not ? No.
2. Whether it be circulated to all the Benches of No.
the Central Administrative Tribunals or not ?


MEMBER (ADMINISTRATIVE)

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VERSUS

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Respondents

For the applicant

M/s. Bijan Ray
C. Choudhury
B.K. Bal
A.K. Mohanty
S.K. Dwibedy
B. Mohanty,
Advocates

For the respondents

Mr. Ashok Mishra
Sr. Standing Counsel
(Central)

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C O R A M:

THE HONOURABLE MR. H. RAJENDRA PRASAD, MEMBER (ADMN)

JUDGMENT

MR. H. RAJENDRA PRASAD, MEMBER (ADMN): Mr. C. Choudhury, learned counsel for the petitioner, submitted very forcefully that the petitioner, Shri Pramod Chandra Das, has functioned for about 15 days as officiating E.D.B.P.M., Pangarsingh Branch Office and that, despite this, his application in response to the earlier notification issued by Respondent No.2 was not taken into consideration. He stressed that the re-notification of the same vacancy vide Annexure-4 by Respondent No.2 is uncalled for and illegal, and asserts that he should be considered for regular selection on the basis of the earlier notification and his original application in response thereto.


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2. From the facts of the case, it looks probable that the vacancy had to be re-notified on account of the response from an insufficient number of candidates. There were only two applicants as against of five names sponsored by the Employment Exchange. Under the circumstances, the Respondent No.2 was obliged to re-notify the vacancy since the selection could not be made from a field comprising only two candidates.

3. The petitioner will be well-advised to await the outcome of the next selection and compete for the post - provided that his name is sponsored by the Employment Exchange-along with others. The present application is premature and does not call for any direction to be issued to the respondents. The case is thus disposed of. No cost.

4. This order is passed after hearing Mr. Ashok Sr. Mishra, learned Standing Counsel.

MEMBER (ADMINISTRATIVE)

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Central Administrative Tribunal
Cuttack Bench Cuttack
dated the 2.9.1993/ B.K.Sahoo

