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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH CUTTACK

ORIGINAL APPLICATION NO. 310 OF 1994
Cuttack this the 1st day of May 2000

Prabhat Kumar Sahoo

Applicant(s)

-Versus-

Union of India & Others

Respondent(s)

FOR INSTRUCTIONS

1. Whether it be referred to reporters or not ? *Yes*
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ? *no*

(G. NARASIMHAM)
MEMBER (JUDICIAL)

Somnath Som
(SOMNATH SOM)
VICE-CHAIRMAN

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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH CUTTACK

ORIGINAL APPLICATION NO. 310 OF 1994
Cuttack this the 1st day of May 2000

CORAM:

THE HON'BLE SHRI SOMNATH SOM VICE-CHAIRMAN

AND

THE HON'BLE SHRI G.NARASIMHAM MEMBER(JUDICIAL)

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Shri Prabhat Kumar Sahoo
aged about 23 years
S/o. Shri Laxmidhar Sahoo
of Vill/PO: Balakati
Dist: hordha

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Applicant

By the Advocates : Mr.B.K.Nayak

-Versus-

1. Union of India represented through
the Surveyor General of India
Dehra Dun-248001
 2. The Addl.Surveyor General of India
Calcutta-16
 3. The Director South Eastern Circle
Survey of India Bhubaneswar-13
 4. The Dy.Director
South Eastern Circle
Survey of India
Bhubaneswar-13
- S. Som*

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Respondents

By the Advocates : Mr.U.B.Mohapatra
Addl.Standing Counsel
(Central)

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ORDER

MR. SOMNATH SOM VICE-CHAIRMAN: In this Application under Section 19 of the Administrative Tribunals Act 1985 the petitioner has prayed for quashing the requisition at Annexures 1 to 4 made to the employment exchange authorities in Bihar A.P. U.P. and Bihar again for sponsoring the names of eligible candidates for filling up of the post of Topo Tranees Type 'A'. He has prayed that he should be considered for that post of T.T.T.'A' and he should be allowed to appear at the interview. He has also prayed that fresh requisition should be sent to the employment exchange Orissa including Local Employment Exchange for the purpose of sponsoring names against the above posts.

2. Respondents have filed counter opposing the prayer of the applicant.

3. For the purpose of deciding this Applicationf it is not necessary to go into too many facts of this case. According to petitioner he is a Graduate in B.Sc. with Mathematics and he had made an application dated 20.10.1993 for the post of T.T.T.'A' for which requisitions were sent to different employment exchange authorities in different States other than Orissa under Annexures-1 to 4. But his candidature was not considered and the departmental authorities held interview for the post of T.T.T.'A' at Varanasi Visakhpatnam and Ranchi. Aggrieved with such action of the departmental authorities the applicant has come up in this petition with the prayers referred to earlier.

4. Respondents in their counter have pointed

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fout that no such applicatio as stated by the applicant had been received from him. They have further stated that had such a petition been received the applicant's case could not have been considered as as per departmental rules only names of persons who are sponsored by the employment exchanges are to be considered. They have further stated that the posts of T.T.T.'A' ^{were meant} in the offices in Bihar A.P. and U.P. and that is why employment exchange authorities of those States were asked to sponsor the names. In view of the above respondents have opposed the prayer of the applicant.

5. When the matter was called to day for hearing Shri B.K.Nayak learned counsel for the petitioner was absent nor was any request made on his behalf seeking an adjournment. This being an old matter we did not feel it proper to drag the matter indefinitely and therefore we heard Shri U.B.Mohapatra learned Addl.Standing Counsel appearing for the respondents and also perused the records.

6. From the pleadings it appears that the post of T.T.T.'A's were vacant only in Bihar A.P. and U.P. and therefore the departmental authorities had rightly called for names from the employment exchanges of those States. ^{2/3/53} The applicant cannot claim that for those vacancies employment exchanges in Orissa particularly Bhubaneswar should also have been addressed to sponsor the candidates. If this plea is accepted then for every vacancy under Survey of India occurring in any region the names have to be called for from the employment exchanges in through out the country which is an absurd and unworkable proposition. Moreover respondents have

further stated as stated by the applicant no application for the post of T.T.T.'A' from him had been received by them. This assertion of the respondents has not been denied by the applicant through any rejoinder. Moreover we also note that with a similar grievance another person viz. Arun Kumar Rout approached the Hon'ble High Court of Orissa in O.J.C. No. 4415/94 where the allegation was that the authorities of Survey of India called upon the employment exchanges of A.P. U.P. and Bihar for filling up of the posts of T.T.T.'A' but no such requisition was made to employment exchange Orissa. In that case their Lordships of the Hon'ble High Court dismissed the Writ ⁱⁿ Petition. In view of this we hold that this Original Application the applicant is not entitled to any of the reliefs prayed for. The O.A. is accordingly rejected but without any order as to costs.

(G. NARASIMHAM)
MEMBER (JUDICIAL)

(SOMNATH SOM)
VICE-CHAIRMAN

B.K. SAHOO