

M/s S. D. Das
B.N. Udgata

CAT / J / 11

(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH, CUTTACK

O.A./T.A./R.A.No..... 1996

..... Applicant(s)

Versus

..... Respondent(s)

Sr. No	Date	Order with Signature
1.	7/2/96.	<p>RECEIVED S Registrar</p> <p>9.P.A of 16/2/96 filed.</p> <p>7/2/96</p> <p>The applicant is a Telephone Operator in Rourkela Telephone Exchange under Telecom District Manager, Rourkela. He belongs to 'NIARI' Community which has been declared to be a Scheduled Caste vide Judgment of the Hon'ble High Court of Orissa reported in Vol. 73 (1992) C.L.T. Page 208. It appears that the matter was taken to the Honourable Supreme Court by the Government of Orissa and the case is subjudice. In the meanwhile, the Honourable High Court of Orissa, by an order dated 14-12-1995 in O.J.C. No. 7286/1995, filed by the applicant, directed the Tahasildar, Tihidi, to deal with petitioner's application on its own merits and dispose of the matter in accordance with law. It was also directed that the petitioner should appear before the Tahasildar, Tihidi on 6.1.1996 so that a date of hearing of the</p> <p>In this application of 7/2/96, the applicant prays for a direction for the officials to allow him to appear before the T.O. Gram.</p> <p>For Registrar</p> <p>S 7/2/96 07.02.96</p> <p>Registration S For Advocate D B 7/2/96 Bom</p>

Serial No. of Order	Date of Order	Order with Signature
		<p>of the application can be fixed by the Tahasildar, Tihidi.</p> <p>It is averred by the applicant that he has duly appeared before the ^{as directed, that} _{yet} Tahasildar and a date is to be fixed for [^] _^ [^] hearing.</p> <p>The question of granting Scheduled Caste Certificate to the applicant by the Tahasildar, Tihidi, in compliance with the orders of the Hon'ble High Court of Orissa, is thus, in active process.</p> <p>In the meanwhile, the Respondents are going to hold an examination for promotion to the Post of Junior Telecom Officer, under 15 per cent departmental quota for the year 1993-94, on 10th and 11th February, 1996. The applicant is ^{the} _{for} unreserved category candidates. However, if he is granted a S.C. certificate by the Tahasildar, Tihidi, eventually, he will be eligible to be considered under the provision of higher-age available to SC candidates. A final view can only be taken at a later stage, as regards his eligibility under SC category, when the case is decided by the local Revenue Authorities.</p> <p>In order to protect the candidate's interest in the interim period, it is hereby directed that a hall-ticket ^{permit} may be issued</p>

A-COPY
of the order
dt. 7-2-96
with 2-A copies
may be sent
to R-1, R-3 to
R-5 by regd.
Post & to R-2
by Spt. Messengers

The same
copy of the
order may also
be given to
the applicant's
Counsel. Spt. Messengers
copy has been deposited
Patna on 7-2-96 at 4-30pm

7/2

Munshi
S/No. 2/96

Received 10th Feb 1996

Serial No. of Order	Date of Order	Order with Signature
.....1	7.2.96	<p>in his favour and that he shall be permitted ^{said} to appear in the ^{the} Examination. The applicant is prepared to give an undertaking that if he is unable to produce a SC certificate from the ^{the} said Tahasildar before publication of results of the proposed examination, he shall have no claim whatsoever to press for declaration of the result, or to otherwise press for consideration of his case for promotion to J.T.O. This is considered a reasonable request and undertaking.</p> <p>Respondent No.2 shall obtain an undertaking from the candidate in the ^{position} light of the order indicated above and arrange to issue a Hall Ticket in his favour well before the date of commencement of the J.T.O's Examination.</p> <p>The Original Application is, thus, disposed of at the admission stage. itself.</p> <p>A copy of these orders may be sent to Respondent No.2 by a Special Messenger at the cost of the petitioner.</p> <p>A copy of these orders may be handed over to the learned counsel for the petitioner.</p> <p style="text-align: right;"><i>[Signature]</i> Member (Admn.)</p>

Received Rs 45/-
(Rupees forty five)
only in cash
for and cost of
Spl. messenger
Vade S.R. No. 2.

Received
7.2.96
(A.N.Singh)
Cashier
at 16.35 hrs.