O.A.NO. 217 /1998.

ORDER DATED 24-07-2003.

Applicant, in this Original Application, under section 19 of the Administrative Tribunals Act, 1985, prays to declare Chapter-6 of MANAS as illegal, unconstitutional and ultra-vires to the Constitution of India, and, as a consequence, the respective orders of rejection of the representation etc. should be declared nonest in the eye of law. He has also prayed for a direction to the Respondents to consider his case for promotion to the next higher grade under the scheme in question.

2. Having heard Mr. M.K. Nayak, learned Counsel for the Applicant and Mr. U.B. Mohapatra, Learned Additional Standing Counsel, appearing for the Respondents, we have perused the records.

3. On perusal of the records, we find that the points basing on which the present Applicant claims his grievance, had already been answered negatively by the Division Bench of this Tribunal rendered in O.A. Nos. 155, 268 and 269 of 1991 (Sudipta Das and others Vrs. Director General, Council of Scientific and Industrial Research and others) on 4th day of May, 1998.

4. Today, during the oral submission, no new materials have been placed by the learned Counsel for the Applicant for making a departure from the view already taken by this Bench in those cases.

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O.A.NO. 217 /1998.

Contd..Order dt. 24.7.2003.

5. In the said premises, the issues having been answered negatively by the Division Bench of this Tribunal, applying the same principle/ratio, we find no merit in this Original Application; which is accordingly rejected, by leaving the parties to bear their own costs.

VICE-CHAIRMAN. 24/7

MEMBER(JUDICIAL)

Free copies of final order dt. 24.7.03 issued to counsel for both sides.

SCJ 4.08.03

DS 9/8/03