



FORM NO. - 4

See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

ORDER SHEET

Original Application No. 1100 of 200 2

Applicant(s) ... Sushanta Kumar Kar Respondent(s) ... Union of India & Ors
Advocate for Applicant(s) ... Mr. D. P. Dhalasamant ... Advocate for Respondent(s) ... Mr. B. Dash, Ase

NOTES OF THE REGISTRY

1. T.P.O. B. 501 - 1100
2. On memo to be taken
up on 30.12.02

Copy
30.12.02

30.12.02

Copy of order of 30/12/02
served to the counsel
for both sides. D.P.
31.12.02

S.O.

ORDERS OF THE TRIBUNAL

REGISTER

Shankhi
By Registrar

1. ORDER DATED 30.12.2002.

On being mentioned by Mr. D. P. Dhalasamant, learned counsel for the Applicant, this case is taken up, in presence of Mr. B. Dash, learned Additional Standing Counsel for the Union of India, on whom a copy of this Original Application has been served.

Applicant an Asst. Archaeologist

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Dr. M. 30.12.02

Notice alongwith
copies & or. dated
30.12.02 issued to
resps. by speed post.

Babu
31/12
So

Dr. M. 30.12.02

may kindly be seen

counter not
found

MR. B. Dash, As
appears in behalf
of R-1-2.

for hearing under

Regd.
Babu

10.02.03

The applicant is absent
on call. Shri B. Dash, Ld.
ASC prays for time to file
counter. Heard. Time granted
till 3.3.03 for counter.

REGISTRAR

on Memo

MR. 127/03 filed

for app. orders
copy Served.
For orders.

21/2/03

Babu

of Archaeological Survey of India of
Bhubaneswar Circle has applied for the post
of Deputy Superintending Archaeologist
pursuant to the UPSC advertisement NO.05
under Annexure-5. It appears that ~~the~~ ^{the Applicant} submitted
his application through proper channel and also
received an acknowledgement (No.147) from
the UPSC under the signature of S.O. It is
the case of the applicant that interview/
viva-voce test for the post of Deputy
Superintending Archaeologist is going to be
held on 8th and 9th January, 2003 at the end
of the UPSC ; and that he has not yet
received any call letter to attend the said
interview/viva-voce test; for which he has
made a representation to the UPSC, under
Annexure-7 dated 24.12.2002 and under
Annexure-8 dated 26.12.2002. It is the case of
the Applicant that he has also represented
to the Director General of A.S. of India under
Annexure-9 dated 27.12.2002. Since he has not
been called to attend the interview/viva-voce
test, going to be held on 8th and 9th of
January, 2003, he has filed this Original
Application under section 19 of the A.T. Act,
1985 seeking a direction to the UPSC to give
him a call/to allow him to face the test/
interview on 8th and 9th of January, 2003. Learned
Additional Standing Counsel Mr. B. Dash, on whom
a copy of this O.A. has been served, states
that the Applicant might have been short-listed
for which he has not been called to the viva-
voce test/interview. He has also pointed out

Contd...Order No.1 dated 30.12.2002.

He seeks an adjournment of this case; so that he can obtain instruction from the UPSC in the matter. Since

time is very short, the Respondents (especially Respondent No.2) are hereby asked, ad-interim, to allow the applicant to face the interview/viva-voce

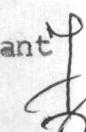
test on 8th and 9th January, 2003. This ad-interim direction is to be followed by the Respondents (especially Respondent No.2) without prejudice to the rival claims that are to be raised in this case. The Respondents should keep the result of the Applicant in a sealed cover until further orders from this Tribunal.

Notices be issued to the Respondents to file counter within four weeks/10.2.2003. This notices be issued to the Respondents by SPEED POST at the cost of the Applicant and Mr. Dhalsamant, learned counsel for the Applicant undertakes to file the required postages in course of the day.

Send copies of this order to the Respondents alongwith notices and free copies of this order be given to learned counsel for both sides.

Applicant to approach the Respondent No.2 immediately with a copy of this order; so that expeditious step can be taken by the Respondents to make necessary arrangement to allow the applicant

....



1100/2002/101/2002

1000/2002/101/2002/101/2002

to face the interview/viva-voce test on the
dates already fixed.

Jaew
30/12/2002
MEMBER (JUDICIAL)

ORDER DATED 24-02-2003.

M.A.NO. 116/2003 and 177/2003.

Heard Mr. D. P. Dhalsamant, learned Counsel for
the Applicant and Mr. B. Dash, learned Additional Standing
Counsel for the Union of India, appearing for the Respondents.
Both the parties have disclosed that the applicant has
already been permitted to take the examination on the
strength of the representation dated 24.12.2002 of the
applicant and, that this OA has already become infructuous.
In the said premises, Mr. Dhalsamant, learned Counsel appearing
for the applicant prays for withdrawal of this O.A.

Having heard counsel for both sides, we
declare this OA to have been disposed of as the same
has become infructuous. With the disposal of this O.A.
two MAs stands disposed of.

Sub
24/2/03
vice-Chairman

Jaew
24/02/03
Member (Judicial)

Copy of order
handed over to
Counsel for
both sides

Sub
24/2/03
So 24/2/03

26/2/03
26/2/03