

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

No. M.A. 599 of 2003
(O.A. 1202 of 1996)

Date of Order : 08.01.2004.

Present : Hon'ble Mr. Nityananda Prusty, Judicial Member

A. K. SANNYAL

VS.

UNION OF INDIA AND ORS. (S.E.Rly.)

For the Applicant : None.

For the Respondents : Mr. L.K. Chatterjee, counsel
Mr. B.P. Roy, counsel
Mr. S.K. Ghosh, counsel (Pvt. Respondent)

O R D E R

This application has been filed by the applicant for a direction to the official respondents not to publish the result of the written test in connection with the selection test for promotion to the post of C.M.A.-II till the disposal of this O.A.

2. Mr. L.K. Chatterjee, 1d. counsel leading Mr. B.P. Roy, 1d. counsel for the official respondents and Mr. S.K. Ghosh, 1d. counsel, who appears on behalf of the Pvt. respondents, are present. Mr. L.K. Chatterjee, 1d. counsel for the official respondents on instruction from the representative of the department/Mr. Sukumar Das, Head Clerk, submits that since the O.A. along with this M.A. has been filed challenging the process of selection to the post of C.M.A.-II, the department is not in a position to fill up the posts and facing a lot of difficulties due to shortage of hands. 1d. counsel on instruction further submits that the department is ready and willing to keep one post vacant for the applicant and fill up the rest of posts.

3. In view of the above submissions, in my considered opinion since one post shall be kept vacant by the department as undertaken by the official respondents, the applicant shall in no way suffer any less or prejudiced if the selection process is

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completed for all the rest of the posts keeping one post vacant, which is to be filled up only after disposal of this O.A., as per direction.

4. In view of the above undertaking given by the 1d. counsel for the official respondents on the basis of instruction of the official respondents through their representative present in the Court today, ~~No~~ interim order is required to be passed in the matter, since the interest of the applicant shall be sufficiently protected in view of this undertaking. Accordingly the M.A. is disposed of with the above observation.

5. Let the O.A. be listed for hearing on 12.02.2004. However, there shall be no order as to costs.



MEMBER(J)

ASVS.