

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

M.A. 389 of 98  
(O.A. 1348/96)

Present : Hon'ble Mr. D. Purkayastha, Judicial Member.  
Hon'ble Mr. B.P. Singh, Administrative Member.

Union of India and Ors.

- v e r s u s -

Shri Srikumar Bhaduri

For the applicants : Mr. P.K. Arora, counsel.  
For the respondents : Mr. B. Mukherjee, counsel.

Heard on 1.7.99

Order on 1.7.99

O R D E R

D. Purkayastha, JM

Heard Id. counsel Mr. Arora who has filed this application on behalf of the railway respondents for modifying the interim order dated 14.11.96 passed by this Tribunal stating that due to impugned order of stay 36 posts of JE-I to the post of S.E. is withheld <sup>but for appointment</sup> since 1996. Mr. Arora, Id. counsel further submits that one post will remain vacant. Therefore, the respondent authorities be permitted to fill up the said post on the basis of the selection test held on 18.11.96. Mr. Mukherjee, Id. counsel appearing for the applicant in the O.A. submits that the selection test could not be held by the respondents as per direction of the GM dated 16.12.95 (Annexure-X-1). ~~But when Bank it is seen that~~ ~~But due to interference of this~~ Tribunal by way of interim order, the selection test was held on 18.11.96 ~~on condition~~ ~~provided~~ that the results thereof should not be published until further order. We find that 36 posts are fallen vacant since 1996 due to ~~interim~~ order dated 14.11.96. The respondent authorities have approached this Tribunal that due to exigencies of work they may be permitted to fill up the vacant posts. We, therefore, direct the respondent authorities that they may appoint the successful candidates provisionally on the basis of the selection test held on 18.11.96 keeping one post vacant. If the

applicant is found successful in the selection test, his case may be considered.

2. With this observation, the order be modified accordingly. M.A. stands disposed of. O.A. No.1348/96 will come up for hearing on 25.8.99.

Member (A)

Member (J)