

In the Central Administrative Tribunal  
Calcutta Bench

MA No.292/2002  
(OA No.313/97)  
(CPC-35/01)

20-6-2002

Present : Hon'ble Mr.B.P.Singh, Member(A)  
Hon'ble Mr.N.Prusty, Member(J)

Arjun Polen and Others

-Vs-

Union of India and Others (E. Rly)

For the applicant : Mr.S.K.Ghosh  
For the respondent : Mr.P.K.Arora  
Ms.U.Bhattacharjee

ORDER

Mr.B.P.Singh, Member(A) :

This MA 292/2002 has been filed praying for interim order of injunction restraining the respondents to fill up any Group 'D' post in Eastern Railway to the exclusion of the applicant. The contention of the learned counsel for the applicant is that the order dated 24-8-2000 in OA 313 of 97 has not been complied with.

2. The applicant has already filed CPC No.35/01 for non-compliance of the CAT's order dated 1-2-01 in MA No.769/2000 arisen out of OA-313/97. In the said MA No.769 of 2000 extension of time was prayed for for implementation of the order dated 24-8-2000 and three months time was extended for compliance of the order.

3. Reply has been filed in the CPC. It has been stated that the order of the Hon'ble CAT dated 24-8-2000 in OA 313 of 1997 has been complied with and a copy of the order has been enclosed and that speaking order was issued on 25-4-2001.

4. We have gone through this order and we find that the direction of the CAT dated 24-8-2000 has been complied with by passing speaking and reasoned order. We do not find any violation of the order dated 24-8-2000 and therefore the CP(c) is without any merit and thus the CP(c) is dropped. Since the CP(c) has been dropped, no further order is required to be passed in the MA. It is accordingly disposed of. No order as to costs. However, the applicant is at liberty to approach the proper forum in case he is aggrieved with the speaking order. In case such an application is filed that will be considered in accordance with the law.

Member (J)

Member (A)