

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

MA 8 of 1998
OA No. 1269 of 1997

Present : Hon'ble Dr. B.C. Sarma, Administrative Member.
Hon'ble Mr. D. Purkayastha, Judicial Member.

Sri Purnendu Kumar Roy, son of Late Ajit Kumar Roy, Village-Kuran, P.O. Kuran, District-Midnapore.

...Applicant

- v e r s u s -

1. Union of India, service through the Secretary, Department of Youth Affairs and Sports, Ministry of Human Resource Development, Govt. of India.
2. The Secretary, Nehru Yuva Kendra Sangathan, East Plaza, IGI, Stadium, New Delhi-110002.

...Respondents

For the applicant : Mr. S.K. Dutta, counsel.
Mr. T.K. Biswas, counsel.

For the respondents : None.

Heard on 9.1.1998

Order on 9.1.1998

O R D E R

B.C. Sarma, AM

The simple prayers ~~have been~~ made by the applicant in this case are as follows:-

- (a) To pass an order of stay of the interview to be held on 11.11.97.
 - (b) To direct the authority concerned to fix another date.
2. On the submission of Mr. Dutta, MA bearing No. 8/98 which has been listed for order on 18.2.98 has been taken on day's list.

The applicant contends that he passed Madhyamik Examination in the year 1986 and Higher Secondary Examination in the year 1988 and thereafter, he applied for the post of Youth Co-ordinator in Nehru Yuva Kendra Sangathan. The applicant was called for interview to be held on 11.11.97 in Delhi and this letter, which has been appended to the application as Annexure-D to the application, was received by him only on 10-11-97. He being a ~~resident~~ of Midnapore District, it is not possible for him to appear in the interview on 11.11.97. Accordingly, application has been filed with the prayer that the interview to be held ^{responably} on 11.11.97 be stayed and directed to fix another date for interview.

3. When the matter was taken up today none appears for the respondents. However, the copy of the application has been served on ~~Conc.~~ the respondents by speed post. We are, therefore, satisfied that the application should be disposed of without adjourning the matter on the ground that none appears for the respondents.

4. We have carefully considered the facts and circumstances of the case after hearing ~~me~~ Mr. Dutta, Id. counsel for the applicant Lalong with Mr. T.K. Biswas. On the prayer of the applicant an interim order was passed on 11.11.97 in this O.A. with direction that one post of Youth Co-ordinator in Nehru Yuva Kendra Sanghatan, shall be kept vacant and filling up of the post^s ~~will~~ depend upon the result of the ~~examination~~ ^{application}. This order which was passed for 14 days was subsequently extended by order dated 25.11.97 to that date. Mr. Dutta, Id. counsel for the applicant further submits that the copy of the said order was duly served by speed post and also by fax on the respondents. But the applicant subsequently received an intimation at 10-30 a.m. as per his remarks on the telegram that he was due to appear in the written as well as viva voce test at Ramakrishna Mission Ashram, Narendrapur, South 24 Parganas at 8-00 Hrs. on 11.11.97. We thus find although one post of Youth Co-ordinator in Nehru Yuva Kendra Sanghatan is vacant and it will be filled up by a competitive examination. But the applicant has not yet got any opportunity of being considered by the respondents. Accordingly we are of the view that a suitable direction is called for at this stage.

5. In view of the above position, the application is disposed of with a direction that respondents shall give the applicant another chance to appear in the test to be held on for the purpose of selection to the post of Youth Co-ordinator in Nehru Yuva Kendra Sanghatan. For this purpose, we make it clear that the date should be fixed in such a manner that the applicant after receipt of such intimation gets full two weeks' time to appear in the said test. This action shall be taken by the respondents within a period of three months from the date of communication of this order. Subsequent action shall be taken by the respondents according to the law. The respondents are further directed to keep one post vacant for this purpose.

6. No order is passed as to costs.