

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

M.A. No.25 of 1998
(O.A. No.279/97)

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

UNION OF INDIA & ORS.

VS

S. P. SENGUPTA & ORS.

For the Applicants: Mrs. B. Ray, counsel

For the Respondents:

Heard on 23.2.1998

: :

Date of order: 23.2.1998

O R D E R

B.C. Sarma, AM

This MA has been filed by the Union of India and others with the prayer that the interim order passed on 12.3.97 in OA 279/97 be modified. The applicants contend that 8 posts of APO/AWO(Gr. B) are lying vacant in the Personnel Department which is the most important Department in the context of manpower planning in the Railway which deals with important functions like recruitment, training, promotion, selection, transfers, granting retirement benefits etc. The original applicants have challenged the action taken by the respondents to fill up these posts on the basis of the selection. While the written examination has been held, the result has not been published due to the interim order passed by this Tribunal on 12.3.97. They have, therefore, prayed that the said interim order be modified so that the present applicants can fill up the vacancies for the smooth functioning of the Personnel Branch of S.E. Railway, if required provisionally for the time being, to enable them to run the administration and trains properly.

2. When the matter was taken up for hearing the learned counsel for the respondents OP is not present today. The matter was passed over from 20.2.98 on which date it had appeared and it was passed over on the submission of the learned counsel for OP, but he was not present today. Accordingly it was not adjourned any further



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and we would like to dispose it on the basis of the materials available on record.

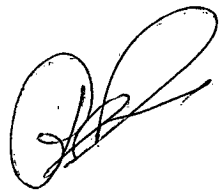
3. We have heard the submission of the learned counsel for the applicants and perused the documents. We find that as a result of the interim order, the entire selection process has been held up in an important Department of the Railway involving public interest and this cannot be allowed. Accordingly we modify the interim order passed on 12.3.97 to the extent that any action taken by the original respondents after this date shall abide by the result of the OA 279/97. MA 25/98 is thus disposed of accordingly.



(D. Puriyastha)

MEMBER (J)

23.2.1998



(B. C. Sarma)

MEMBER (A)

23.2.1998