

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

No. MA 26 of 98  
OA 1344 of 97

Present : Hon'ble Mr. Justice S.N. Mallick, Vice-Chairman

Hon'ble Mr. S. Dasgupta, Administrative Member

PARESH NATH RAJAK

VS

UNION OF INDIA & ORS.

For the applicant : Mr. B. Mukherjee, counsel

For the respondents: None

Heard on : 5.2.98

Order on : 5.2.98

O R D E R

S.N. Mallick, V.C.

In this Miscellaneous Application the petitioner's grievance is that inspite of the interim order passed by this Tribunal in the Original Application on 19.12.97, the respondent No.5 has again issued interview letter dated 22.1.98 as per Annexure X/4, to the instant application asking the candidates to appear before him for an interview on 24.1.98 at 9 A.M. for consideration for appointment for the post of Stenographer Grade III in the office of the Commanding Officer, Base Hospital, Barrackpore. It has been urged by Mr. B. Mukherjee, counsel for the applicant that the Respondent No.5 is conducting himself in a way prejudicial to his interest and in utter violation of the interim order passed by this Tribunal on 19.12.97.

2. After hearing the 1st. counsel for the petitioners and after going through the materials on record we are of the view that the respondents No.5 should be restrained from giving any effect to the interview letter dated 22.1.98 and to give any appointment to the said post which is already covered by the interim order passed by this

Tribunal on 19.12.97 till the disposal of the Original Application. Accordingly the interim order ~~is passed~~ <sup>we issue</sup> in the above direction. It is further noted that copy of this application has been served upon the Respondent No.5 who has chosen not to appear before this Tribunal.

3. We are surprised to see that one S.S.Prasad, Colonel, CO has written a letter to this Tribunal dated 10.12.97 disclosing certain facts. This is highly improper. No one is permitted to enter into unauthorised and unnecessary correspondence with a Court of Law except through appearance by an authorised lawyer or personally appearing before this Court. We take no notice of this correspondence. It is a fit case <sup>where</sup> ~~whether~~ <sup>that</sup> appropriate steps be taken against the concerned officer for showing disrespect to the Tribunal. Anyway we are ignoring such incident at this stage by warning him severely. If such incident recurs in future this Tribunal will be compelled to take appropriate ~~further~~ measures against such persons in future. A copy of this order be communicated to respondent No.5 for informing the officer concerned. The service ~~of~~ return filed by the 1d. counsel for the petitioner be kept with the record. The MA stands disposed of.

MEMBER (A),

VICE-CHAIRMAN