

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

M.A. 298 of 99

(O.A. 77 of 97)

Present : Hon'ble Mr. D. Purkayastha, Judicial Member.

Hon'ble Mr. B.P. Singh, Administrative Member.

Smt. Minoti Pandey

- v e r s u s -

Union of India & Ors. (S.E. Railway)

For the applicant : In person.

For the respondents : Mr. C.R. Bag, counsel  
Mr. P. Chatterjee, counsel.

Heard on 22.7.99

Order on 22.7.99

O R D E R

D. Purkayastha, JM

Mr. Bag, Id. counsel alongwith Mr. Chatterjee, Id. counsel, appearing on behalf of the respondents submits that the instant application is not sustainable in view of the fact that this Tribunal by an order dated 22.4.97 passed in O.A. 77/1997 has directed the respondent authorities to keep one post of ALO vacant till disposal of the application. Hence the applicant has come before this Tribunal in pursuance of the fresh notification dated 20.5.99 (Annexure-A/3 to the application) seeking interim order for restraining the respondents from filling up the said post in pursuance of the said notification dated 20.5.99. We find that the applicant's interest ~~will be~~ <sup>has been</sup> protected by an order dated 22.4.97 passed by this Tribunal. On a query, the respondents submit that one post of A.L.O. is lying vacant. Thereby the applicant's interest has already been protected by granting stay. Heard applicant in person. It appears from the notification dated 20.5.99 that the applicant was further directed to appear in the test without prejudice to the rights and contents as stated in the O.A. 77/97. M.A. stands disposed of accordingly.

2. No order is passed as to costs.

D. Purkayastha

Member (A)

J. P. Singh

Member (J)