

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

M.A. 30/99

O.A. 989/97

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

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

Shri Subit Kumar Das, son of
Shri Haradhan Das, residing at
12/F, Monohar Pukur Road, P.S.
Calcutta-700 026.

...Applicant

- v e r s u s -

1. Union of India, service through Secretary, Ministry of Information and Broadcasting, Government of India, Sastri Bhavan, New Delhi.
2. The Director General, All India Radio, Akashvani Bhavan, New Delhi.
3. The Chief Engineer (EZ), AIR & TV, Akashvani Bhavan, Calcutta.
4. Station Director, All India Radio, Calcutta, Akashvani Bhawan, Calcutta-1.
5. Shri S.K. Bandhopadhyay, Superintendent Engineer, All India Radio, Calcutta, Akashvani Bhawan, Calcutta-1.
6. Shri P.C. Sikdar, Station Engineer, All India Radio, Calcutta, Akashvani Bhawan, Calcutta-700 001.
7. Shri Basudev Halder, Divisional Engineer, Computer Telephone Kendra, P-10, New C.I.T. Road, Calcutta-700073.
8. Shri Niranjana Mondal, son of Shri M.N. Mondal, of C/O B.D. Bhattacharjee of 298, Kamdahari Purba Para, P.S. Garia, Calcutta-700 084.
9. Shri Bijoy Naskar, son of Shri N. Naskar of Bansdrani Purba Simanta Bag, H.D. Sarkar Road, Calcutta.
10. Shri Tribeni Ram, son of Shri B. Ram of 41, Hem Chandra Street, Watgun Calcutta-700 028.

...Respondents.

For the applicant : Mr. D.B. Mallick, counsel.

For the respondents : Ms. K. Banerjee, counsel.

Heard on 15.1.99

Order on 15.1.99.

O R D E R

D. Purkayastha, JM

The applicant by this application sought for ad-interim order by

panel by holding interview for the post of technician by preparing a fresh panel without first ~~giving~~ appointing to the applicant on the basis of the selection made by the Authorities earlier for which a case is pending before this Tribunal.

2. According to the applicant, he received one letter dated 23.12.98 (Annexure-B to the application) addressed to one Sri Biswajit Mondal, ^{it} shows that department is going to make a panel for filling up the post of technician at All India Radio, Calcutta on 15.1.99 at 10.00 A.M. Hence he has filed this application before this Tribunal apprehending that his name might not have been considered for the empanelment of the post of technician on the basis of the interview letter dated 23.12.98. So his chances of absorption, as prayed for in the earlier application may be adversely affected.

Mr. Mallick, Id. counsel for the applicant has drawn our attention to the judgment annexed with the application itself.

3. We have heard Ms. Banerjee, Id. counsel for the respondents also. We find that the applicant already obtained an ad-interim order from this Tribunal on 25.8.97 where it is ^{found} ~~mentioned~~ that in view of the urgency the Hon'ble Tribunal directed by way of interim measure that any appointment given to the private respondent Nos. 6, 7 and 8 shall abide by the result of the application. Now, Mr. Mallick submits the said order relates to the respondent Nos. 6, 7 and 8 only. Thereby the rights of appointment on the basis of the earlier selection should be protected.

3. Mrs. Banerjee, Id. counsel for the respondents submits that until the filling up of post of technician from the reserved quota viz. 1 OBC and 1 ST is taken by the respondent authorities, the applicant's case would not be considered. She further submits as soon as vacancy would arise against the SC quota, the applicant would be absorbed.

4. In view of the aforesaid circumstances, we do not find any reason to give any further order in this application by way of injunction sought for. The applicant will get all benefits, if he is absorbed in this case. Accordingly the application is allowed.

5. No order is passed.