

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, CALCUTTA

M.A. No.823 of 2001
(In O.A. 757 of 1997)

Dated 12th June 2002

PRESENT: The Hon'ble Mr. L.R.K. Prasad, Member (A)
The Hon'ble Mrs. Meera Chibber, Member (J)

Union of India

vs.

Shyama Charan Das

For the Union of India .. Mr. P.K. Arora

For the opposite Party .. Mr. T.K. Biswas

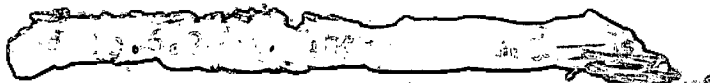
Mr. S.K. Dutta

O R D E R

L.R.K. Prasad, Member (A):

1. Both sides are present. This M.A. has been filed by official respondents of O.A. 757/97 with the prayer to vacate the interim order dated 2.7.1997 (Annexure-M-1). By way of interim order, this Tribunal vide its order dated 2.7.1997 had directed that the applicant shall be allowed to appear in the selection test in question without prejudice to the rights and contentions of the parties in the application, but the result shall not be published till the next date. In view of what has been stated in the M.A., the official respondents of O.A. 757/97 have prayed for vacation of the said order so that they are in a position to announce the result and take further action for filling up the vacancies of Material Checker.


2. Heard the learned counsel for the parties. It appears that there are four available vacancies of Material Checker (UR-3 and ST-1) in the CMM/BI. In order to fill up the said vacancies, the selection process had been started and the written test was conducted on 22.9.2000

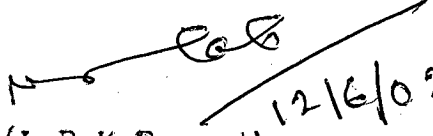


and 15.6.2001. The applicant was also allowed to appear in terms of the interim order.

3. We have considered the matter in the light of submissions made on behalf of the parties and materials on record. We dispose of this M.A. by modifying the interim order of this Tribunal dated 2.7.1997 (Anexure-M-1) to the extent that one vacancy of Material Checker shall be kept reserved, which will be filled up on the basis of final outcome in O.A.757/97. At the same time, the respondents are at liberty to finalise the selection process in question for filling up the remaining vacancies. However, appointments against such vacancies shall be subject to final outcome in O.A.757/97.

4. List O.A.757/97 on 21.8.2002 for hearing.


(Meera Chibber)
Member (J)


(L.R.K. Prasad)
Member (A)

12/6/02