

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. M.A.86 of 2000
(O.A.1315 of 1997)

Date of Order : 2.3.2000

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

Hon'ble Mr.G.S. Masingi, Administrative Member.

SATYA GOPAL DAS

Vs.

UNION OF INDIA & ORS.
(POST)

For the applicant : Mr.S.Pachhal, counsel.

For the respondents: Mr.S.K.Dutta, counsel.

ORDER

D.Purkayastha, J.M.

The applicant by filing this M.A. has sought for an interim order during the pendency of O.A.1315 of 1997 to the effect that the respondents be restrained from filling up any vacancies of Extra-Departmental Agent within Howrah 1st Sub-division from outsiders till the disposal of the O.A.

2. It is submitted by the 1st.counsel for the applicant that the applicant is working as a Substitute under the respondent-authorities for more than 10 years, but the respondents are recruiting new persons who are outsiders to work in place of the applicant completely ignoring his case.

3. Mr.S.K.Dutta, 1st.counsel for the respondents, submits that the applicant is no longer working as a Substitute. He further submits that the Substitute has no right to claim regularisation in the post in which he is working on the basis of the service rendered by him in the post.

4. We have considered the submissions of the ld. counsel for both the parties and have also considered the facts and circumstances of the case. We are of the view that the case of the applicant will be decided by the result of the O.A. In case he is found eligible to be absorbed in the post after hearing of the O.A., appropriate orders will be passed to that effect in the said case. The interim order prayed for by the applicant in this M.A. is thus rejected. The respondents may proceed with the selection subject to the decision of the O.A.

5. M.A.86 of 2000 stands disposed of with the above observations. No order is passed as to costs.

G.S. Mpingi
2.3.2000
(G.S. Mpingi)
Administrative Member

D.Purkayastha
2/3/2000
(D.Purkayastha)
Judicial Member