

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH, PATNA

O.A.NO.: 637/96

Date of decision: 13.12.96

Vimlendu Shekhar : Applicant.

Vrs.

Union of India & Ors. : Respondents.

Counsel for the applicant : Shri M. Kumar.

C O R A M

Hon'ble Mr. K.D.Saha, Member (Administrative)

Hon'ble Mr. D.Purkayastha, Member (Judicial)

ORDER DICTATED IN OPEN COURT

Hon'ble Mr. K.D.Saha, Member (A):

Heard the learned counsel for the applicant on the question of admission.

2. This application has been filed by the applicant with the prayer to issue direction to respondents no. 1 & 2 to consider the candidature of the applicant for appointment to the post of EDSPM, Gaunaha, District West Champaran. The submission of the applicant is that in order to submit his application to the Employment Exchange Officer, Bettiah, he went to his office on 06.11.1996 in the afternoon but as the Employment Officer was not available in office he requested his Head Clerk Shri Jha to accept the application to which the latter declined. Thereafter, the applicant is stated to have approached the District Magistrate, Bettiah on 07.11.1996 who directed the Employment Officer on the application itself to accept the application and to send the same to the competent authority immediately. Thereafter, the applicant again approached the Employment Officer on 08.11.1996 at 10 A.M. but the Employment Officer was not

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available and his Head Clerk neither accepted the transmission cost nor forwarded his application to the Superintendent of Post Offices, Motihari. The applicant then sent his application through Registered post on 08.11.1996

3. Considering the averments on record and the submissions made, we are of the view that it will be equitable ~~inevitable~~ if the candidature of the applicant is also considered for appointment to the post of EDSPM by respondents no.1 & 2 although his application has reached there belatedly.

4. Accordingly, we hereby direct the respondents no.1 & 2 to consider the candidature of the applicant for appointment to the post of EDSPM alongwith other eligible candidates.

5. The application is disposed of accordingly with the above direction.

10/11/96
(D. Purkayastha)
Member (J)

13.12.96
(K.D. Saha)
Member (A)