

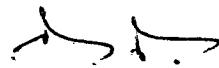
OA 29/96

1  
Hon'ble Shri K.D. Saha, Member(A)

15.1.96

Adjourned to 16.1.96 for admission.

CM

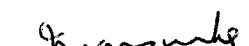
  
(K.D. Saha)

Member (A)

2/17.1.96 Hon'ble Shri N. Sahu, Member (A)

Adjourned to 18.1.96 for admission.

SKS

  
( N. Sahu )  
Member (A)

3/18.1.96 Hon'ble Shri N. Sahu, Member (A)

Heard Shri S.N. Tiwary, learned counsel for the applicant. In this application x the prayer is for a direction to appoint the applicant against the available vacancy as Inspector of Central Excise in Maharashtra Zone on the basis of the final result published by the Staff Selection Commission vide Annexure-A/5 and also the applicant is seeking consequential benefits. It is submitted by the learned counsel after giving brief history of the facts relating to the dispute that in OA-640/95 -Rajesh Kumar and Others Vrs. Union of India & Ors. a Division Bench of

*Previous of  
reference  
for India  
only*

the Patna CAT has admitted the same application on the similar facts. A Single Member Bench of the Patna CAT has recently admitted in OA-24/96 - Subhash Kumar and Others Vrs. the Union of India & Others in similar case as submitted by the counsel of the applicant and the applicant is similarly situated person in this case with the same facts. On the above submissions and merits of the case I am convinced that it is a fit case for admission. The application is admitted. Issue notices to the respondents to file Counter-Affidavit within four weeks and rejoinder, if any, be filed within 2 weeks thereafter. Requisites to be filed within two days. In future the office will bunch up this case along with OA-640/95 and OA-24/96 for hearing. It is submitted by the learned counsel for the applicant that this case is similar ~~case~~ to the facts of those cases.

*Requisites filed  
on 23/1/96  
U.S.*

2. Interim relief is prayed that one post of Inspector of Central Excise in Maharashtra Zone be kept vacant for appointment of the applicant. As it is mentioned "the Selection of candidates for appointments to different posts has been made according to the number vacancies available vis-a-vis merit-cum-preference of the candidates" it is appropriate that one vacancy of Inspector of Central Excise of Maharashtra Zone be kept vacant for appointment. This ad-interim order for keeping one post of Inspector of Central Excise in

OA-29/96

3.

Maharashtra Zone is given and it will be in force for period of 14 days. The respondents are free to show cause as to why this ad-interim order shall not be made absolute. List this case on 31.1.1996 for filing show cause by the respondents and hearing on stay matter.

Recd/c  
S1  
Adv.  
31/1/96

SKS

*Hansimha*

( N. Sahu )  
Member (A)

4/31.1.96 Hon'ble Mr. N. Sahu, Member (A)

*Notice issued  
giving 19/2/96  
T.M.*

Counsel for the applicant is present. There is no evidence of service of notice issued on 24.1.96 to the respondents. List it on 19.2.96 along with OA-640/95 giving another opportunity to the respondents to show cause as to why ad-interim order granted on 18.1.96 shall not be made absolute. Stay to continue till that date.

SKS

*Hansimha*  
( N. Sahu )  
Member (A)

5

19.2.96

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

CM

Adjourned to 19.4.96. Stay order to continue till the next date. Written statement should be filed before that date.

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↙  
(K. D. Saha)  
Member (A)

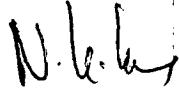
6/19. 4.96

Counsel for the applicant .. Mr. S.N.Tiwary

Counsel for the respondents .. None

Notices were reported to have been issued on 24.1.96 to the respondents. However, no acknowledgement from any of them has been received so far. Let fresh notice be issued to the respondents by registry with A/D for reply within six weeks. Interim stay granted earlier shall continue. List on 5.6.96.

SKS

  
( N.K.Verma )  
Member (A)

7/11.02.98

Shri J.N.Pandey, the learned SSC prays for and allowed three weeks time to file reply. Rejoinder, if any, may be filed within two weeks thereafter. List for hearing on 27.04.1998 alongwith O.A. 640/95 & O.A. 24/96.

SKJ

( R. Rangarajan )  
Member (A)

( V.N.Mehrotra )  
Vice-Chairman

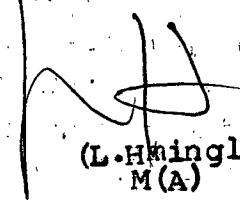
8  
22.8.2000

OA 29/96

Shri S.N.Tiwarey...counsel for the applicant  
None for the respondents.

DM

List it for hearing on 18.10.2000  
along with P.A. 640/94 and OA 24/96.

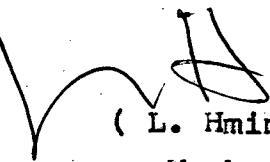
  
(L. Hmingliana)  
M(A)

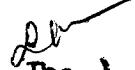
  
(L.Jha)  
M(A)

9/18.10.2000 Shri S.N. Tiwary, counsel for the applicant.  
None for the respondents.

As per order passed in OA 640/95, let it be  
listed for hearing on 23.11.2000.

SRK/

  
( L. Hmingliana )  
Member (A)

  
( L. Jha )  
Member (J)

10./ 23.11.2000.

For want of D.B., hearing is adjourned adjourned to  
2.1.2001.

/CBS/

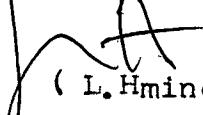
  
( L.R.K. PRASAD )/M(A)

11/2.1.2001

Shri S.N.Tiwarey, counsel for the applicant.

On request, let it be listed for hearing  
on 23.1.2001.

MPS.

  
( L. Hmingliana )/M(A)

  
( Lakshman Jha )/M(J)

12/23. 1. 2001

Shri S.N.Tiwari, counsel for the applicant.

Shri H.P.Singh, ASC for the respondents.

The learnedcounsel for the applicant files a copy of the Establishment Order No. 32/98 issued by the Assistant Commissioner (P&V), Central Excise, Mumbai-I and states that the applicant has already been appointed as an Inspector Central Excise and he does not want to proceed further in the matter. In view of the aforesaid submission of the learned counsel for the applicant, the O.A. is infructuous, and, it is, accordingly, disposed of.

MES.

( L. Hmingliana )/M(A)

( L. Jha )/M(J)