

CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH.

ORIGINAL APPLICATION NO.503/2001.

Tuesday, the 17th day of July, 2001.

Shri Justice Birendra Dikshit, Vice-Chairman,
Shri M.P.Singh, Member (A).

Girish Jantilal Vaghela,
H.No.2/44, Jain Street,
P.O. Daman - 396 210.
(By Advocate Shri I.J.Naik)

...Applicant.

v.

1. Union of India, through
The Secretary,
Ministry of Home Affairs,
Central Secretariat,
North Block,
New Delhi.
2. The Administrator,
Union Territory of Daman & Diu,
Administrator's Secretariat,
Moti Daman - 396 220.
3. Union Public Service Commission,
through : the Secretary,
Dholpur House, Shahjahan Road,
New Delhi - 110 011.

...Respondents.

: O R D E R (ORAL) :

Shri Justice Birendra Dikshit, Vice-Chairman,

Heard Shri I.J.Naik, Learned Counsel for the applicant.

2. The applicant has filed this petition claiming that he was appointed for first time as Drug Inspector by order dt. 11.3.1996; that he has worked on the said post of Drug Inspector on short term contract basis on 10 earlier occasion under similar orders viz. orders dt. 6.12.1996, 9-3.4.1997, 10.9.1997, 10.3.1998, 1.9.1998, 24.2.1999, 22.11.1999, 4.4.2000, 31.10.2000 and 20.3.2001; that an advertisement has been published on the basis of requisition by Respondent No2, the Administrator, Union Territory of Daman and Diu (in short, 'Administrator') in March,

B. Dixit

...2.

2001, by Union Public Service Commission (in short, UPSC), advertised at number 6 Item No.10 for selecting Drug Inspector on regular basis; that the applicant is eligible to hold said post of Drug Inspector by virtue of his holding a degree in Pharmacy as well as by virtue of his experience; that he has crossed the age limit prescribed for applying to the said post of Drug Inspector during the period of his service; that he submitted an application dt. 29.3.2001 to Respondent Administrator and requested for issue of age relaxation certificate to enable him to apply to UPSC for selection to the post of Drug Inspector; that a period of more than 3 months is over, but no such age-relaxation certificate has been issued while the date for holding the interview before UPSC is approaching fast and therefore, he has prayed that the Administrator be directed to issue relaxation certificate without further delay and send letter to the UPSC stating that petitioner has been in service of the Government from 1996 i.e. from the date before his crossing the age limit in the year 1998, and recommend for consideration of his application and providing opportunity to compete at selection as a departmental candidate.

2. The Learned Counsel for the applicant relying upon the case of Dr. Surinder Singh Jamwal and Another Vs. State of J&K and Ors. (1996 SCC (L&S) 1296) contended that as has been done in said decision, the Respondents be directed to relax the age qualification to enable him to compete at selection.

3. We do not consider it necessary to examine the contention on merit as, petitioner has moved an application on 29.3.2001. From perusal of petition, it appears that the application is


B. Singh

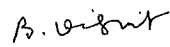
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still pending. The petitioner has not stated any date as to when the selection is going to take place. Considering that no date for selection is yet fixed while petitioners application dt. 29.3.2001 is pending before the Administrator for relaxation of age with a request to issue an age relaxation certificate, we consider it proper to dispose of this application by issuing direction to Respondent Administrator for expeditious disposal of application/representation of petitioner.

3. For aforesaid reason, we direct the Respondent No.2 the Administrator, Union Territory of Daman & Diu, Secretariat, Moti Daman to dispose of the application representation dt. 29.3.2001 of petitioner within a period of one month from the date of production of certified copy of this order provided it has not been disposed of as yet. The applicant will file a certified copy of this order along with the copy of the application which according to him he has filed and is still pending before the Administrator.

4. The OA is disposed of. The office will issue certified copy of this order within ten days.


(M.P. SINGH)
MEMBER(A)


(BIRENDRA DIKSHIT)
VICE-CHAIRMAN

B.