

Shri. A.K. Madhukar, NRP
(Shri. V. N. Bagale. Adv)
M.

U.P.S.C.
Shri. R. P. Darda. Adv

GA 630/90

I	1	—	PT
		11-10-90	to
	2-3	11-1-91	to
	<u>4</u>	<u>18-3-91</u>	<u>to / dismissed</u>
II	—	—	coram: Hon'ble Sh. A.P. Bhattacharya, M(A)
	—	—	Hon'ble Sh. P.S. Chaudhary, M(A)
III	1-3	10-9-90	order is enclosed L10
	4-5	14-9-90	scrutiny - sheet 8 of 4
	6	28-1-91	notice issued to Repdt for AH
	7-8	16-4-91	copy of order dt. 11.1.91 issued to parties
			copy of order dt. 18.3.91 issued to parties

10/11

Undertake to serve all Respondents and remove all objections

9-8-90

Part II

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL.

BENCH AT NAGPUR.

Application no. (N) 630/90 1990

Ashok V/S The secretary U.P.S.C. and other.

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14- Ency B Redh 1 by 21/10/91

date- 9-8-90

Nagpur

Central Administrative Tribunal
Received application on 9-8-90
By hand of / p/s
sf (no) 67/90
(2 sets)
Received clerk

Applicant

Office Notes, Office
Memorandum, of Coram
Appearance, Tribunal's
orders of direction &
Registrar's Orders

Tribunal's Orders.

(1)

Per Tribunal:

Fixed for admission
hearing on 11-10-90 at Nagpur.

Prise
f Dy Registrar

Noted date 13/10/90

Dated: 11-10-90 Camp at Nagpur

Applicant by Mr. V.N. Bagale.

No. 1

Respondent by Mr. S.V. Gole holding the
brief of Mr. S.V. Natu.

No. 3

Respondent by Mr. Ramesh Darda.

None appears for ~~the~~ Respondent No. 2,
Even though Mr. Bagale submits
that he has been served a copy
by Registered Post on 10.8.90.

Respondents to file their reply ^{either}
personally or by ^{Registered} Post in the matter of
Admission ~~by~~ ~~Registered~~ Post at New
Bombay by 31.12.90. Mr. Gole and
Mr. Darda have taken ~~the~~ notice.
Issue notice to Respondent No. 2
accordingly.

Call for Admission ~~and~~ hearing
on 11.1.1991.

(S.K. Jain)
M(J)

P.S. Chaudhari
(P.S. Chaudhari)
M(A)

Notices are issued
to the all Respondents
on 14-11-90.

MS
14-11-90

Notice dtd 14/11/90
Served on R.2 on
dtd. 16/11/90.

Notice dtd 14/11/90
Served on R.3 on
dtd 18/11/90

OA. No. (N) 630/90.

Dated: 11.1.91 - Camp at Nagpur

Applicant by Mr. V.N. Bagale.
Order dtd. 11.1.91 Respondents by Mr. S.V. Natar.

Served on Applicant & Respondent No. 1 has filed his
of Resps. 1 & 2 on reply opposing admission.

dtd. 11.1.91,

h

3. After hearing counsel for both sides
prima facie it appears to us that the
applicant failed to ~~obtain~~ qualify
for appointment in Category-I viz:
Geologist Junior, Group A / Assistant
Geologist, Group B. He did, however,
qualify in Category-II and was
allotted rank No. 87. It also appears
to us that in Category-II there were
38 posts to be filled as under:-

<u>Group</u>	<u>O.C.</u>	<u>S.C.</u>	<u>S.T.</u>	<u>Total</u>
A	8	2	6	16
B	17	3	2	22
Total	25	5	8	38

Against this requirement the actual
Candidates selected were:-

OC: 32 SC: 5 ST: 1 Total: 38

In other words, the S.T. posts against
which candidates could not be found
were filled by the O.C. candidates.
We have been informed by the respon-
dents that this was because of the

Cont'd...

Contd.

Ministry's answer in the affirmative to the question "whether vacancies reserved for SC & ST candidates may be treated as unreserved in case suitable candidates are not available?"

We are of the opinion that it will be necessary for us to see the record in respect of the answer to this question to satisfy ourselves that the first claimant on the unfilled S.T. vacancies was not S.C. candidates by interchange.

4. Respondents No. 2 & 3 to clarify the position in this regard. Applicant may, if he so desires, also furnish any documents in support of his contentions on this point.

5. S.O. to 21.3.91 for admission hearing at Nagpur.

6. We record our appreciation for the assistance rendered by to us by M/s. C. Mridha, Dy. Secretary, and A. D. Bhargava, Desk Officer, from the ^{office of} Respondent No. 1.

P. S. Chandhuri
(P. S. Chandhuri)
M (A)

(D. Sarga. Rao)
M (T)

Order dt: 11.9.91
issued on order
by dt: 23.1.91

by

Dated: 18-3-91 Camp: Nagpur

Mr. V. N. Bagale appears for the applicant and submits that as the applicant has since been able to ~~have~~^{secure} a better job, he does not like to proceed with the application. Mr. Ramesh Darda, Id. Adv. is present for the respondents. On the basis of the submission made by Mr. Bagale, Id. Adv. for the applicant we treat this case as disposed of for non-prosecution. There will be no order as to costs.

P. S. Chaudhary
(P.S. Chaudhary)
M(A)

A. P. Bhattacharya
(A. P. Bhattacharya)
M(T)
18-3-91

order/Judgment despatched
to Applicant/Respondent(s)
on 16-4-91

Genl
16/4