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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
BOMBAY BENCH, BOMBAY,
CAMP AT PANAJI.

Contempt Petition No.137/95
in
Original Application No.1310/93.

Kum.Sandhya G.Rane & Ors. ... Applicants.

V/s.

Union of India & Ors. ... Respondents.

Coram: Hon'ble Shri B.S.Hegde, Member(J),
Hon'ble Shri P.P.Srivastava, Member(A).

Appearances:-

Applicants by Shri M.S.Sonak.
Respondents by Shri E.P.Badri Narayanan.

Tribunal's Order :

[Per Shri B.S.Hegde, Member(J)] Dated: 18.10.1995.

Heard Shri M.S.Sonak, counsel for the applicants and Shri E.P.Badri Narayanan, counsel for the respondents on Contempt Petition No.137/95 in O.A. No.1310/93.

2. The learned counsel for the applicants drew our attention to the order passed by this Tribunal in O.A. No.1310/93 which was disposed of on 16.6.1994 directing the respondents that if the posts of Production Assistants are not filled up as on that day they should not be filled up till the next date and this interim order was continued. The Respondents state that the posts of Production Assistants have not so far been filled up. The case of the present petitioner was not called for consideration in view of the selection process pursuant to the advertisement made for the appointment of three Production Assistants on 22.1.1994. So far as the Applicants No.2 and 3 are concerned, the Respondents were directed to consider them in the selection process which was to be initiated within three months from the date of communication of this order.


3. The respondents have filed their affidavit stating that pursuant to the directions of this


...2.

Tribunal they have considered the applicants No.2 and 3 and have drawn a final list dt. 23.9.1995 which may be published in the notice board if it is not published. According to them, the final list against which the SC vacancy is shown against one Sh.Vinesh V.Arlenkar and the unreserved vacancy by Sh.Rajendra Phadte, Kum. Deepa Suresh Pai and Kum.Sandhya G.Rane being at Sl.Nos.1, 2 and 3 respectively. The contention of the learned counsel for the respondents is that pursuant to the abolition of the posts vide their order dt. 28.2.1995 they could not appoint the applicant. It is true that the Court ~~is~~ has directed the respondents to consider the applicants for selection and not for appointment.

4. In view of the circumstances of the respondents in which they are situated they could not appoint the applicant and accordingly they have written to the headquarters by their letter dt. 27.6.1995 for revival of the ^{four} posts which is under consideration by the respondent department. We therefore, direct the respondents that as and when the posts are created they shall appoint the present applicant, as well as the other persons who are on the panel. The respondents are further directed to consider the decision of the creation of posts within a period of three months from the date of receipt of this order. The Contempt Petition is accordingly disposed of.

Dasti.


(P.P.SRIVASTAVA)
MEMBER (A)


(B.S.HEGDE)
MEMBER (J).

B.