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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. No. 288 of 1998

30.9.1999
DATE OF DECISION.....

Shri Dulal Ch Bora

(PETITIONER(S))

Mr S. Sarma; Mr U.K. Nair and

ADVOCATE FOR THE
PETITIONER(S)

Mr D.K. Sarmah

-VERSUS-

The Union of India and others

RESPONDENT(S)

Mr B.C. Pathak, Addl. C.G.S.C.

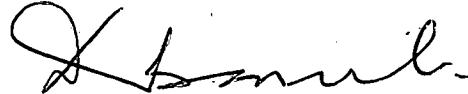
ADVOCATE FOR THE
RESPONDENTS.

THE HON'BLE MR JUSTICE D.N. BARUAH, VICE-CHAIRMAN

THE HON'BLE MR G.L. SANGLYINE, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.288 of 1998

Date of decision: This the 30th day of September 1999

The Hon'ble Mr Justice D.N. Baruah, Vice-Chairman
The Hon'ble Mr G.L. Sanglyine, Administrative Member

Shri Dulal Ch Bora
Chowkidar,
181 Military Hospital,
C/o 99 A.P.O.

.....Applicant

By Advocates Mr S. Sarma, Mr U.K. Nair
and Mr D.K. Sarmah.

- versus -

1. The Union of India, represented by the
Secretary to the Government of India,
Ministry of Defence,
New Delhi.

2. The Army Head Quarter (DGMS-3)(B),
D.H.Q. P.O., New Delhi.

3. The Commanding Officer,
181 Military Hospital,
C/o 99 A.P.O.

4. Shri Monoj Kumar,
C/o the Commanding Officer,
181 Military Hospital,
C/o 99 A.P.O.

.....Respondents

By Advocate Mr B.C. Pathak, Addl. C.G.S.C.

.....
O R D E R

BARUAH.J. (V.C.)

The applicant is a civilian employee in the
Defence Department. He is working as a Chowkidar. One
post of Carpenter fell vacant. The applicant was a
candidate for the said post. However, the Army
Headquarters gave instructions to get the names of
eligible persons from the local Employment Exchange. The
Employment Exchange, however, did not send the name of



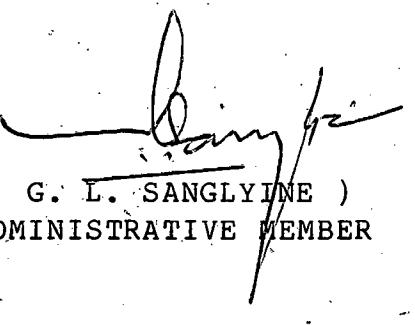
the applicant and accordingly he could not be appointed. Instead another person was appointed. Being aggrieved, the applicant submitted a representation which was not replied to and is still pending disposal. Hence the present application.

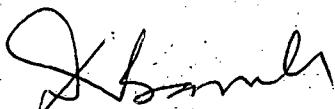
2. We have heard Mr U.K. Nair, learned counsel for the applicant and Mr B.C. Pathak, learned Addl. C.G.S.C.

3. On hearing the learned counsel for the parties we feel that the authority should dispose of the Annexure 6 representation dated 20.7.1998 submitted by the applicant. The applicant may also file a fresh representation within fifteen days from the date of receipt of the order. If such representation is filed we direct the respondents to dispose of both the representations within a period of six weeks from the date of receipt of the fresh representation.

4. While disposing of the representations the respondents shall take into consideration of the statements made in paragraphs 12 and 13 of the written statement that there is a vacant post of Carpenter at Army Hospital, Dimapur. The respondents have also stated in the written statement that if the applicant is willing to go to Dimapur there will be no difficulty in appointing him. This aspect may also be taken into consideration of by the respondents while disposing of the representations.

5. The application is accordingly disposed of. No order as to costs.


(G. L. SANGLYINE)
ADMINISTRATIVE MEMBER


(D. N. BARUAH)
VICE-CHAIRMAN