

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,  
JABALPUR

Original Application No 1130 of 2005

Jabalpur, this the 7<sup>th</sup> day of December, 2005.

Hon'ble Mr. Madan Mohan, Judicial Member

1. P.K. Argal and 4 others Applicants

(By Advocate – Shri V.Tripathi)

**V E R S U S**

1. Director General, Indian Council of Medical Research (ICMR), Ansari Nagar, P.B.No.4911 New Delhi -110 029.
2. Director/Officer Incharge, Regional Medical Research Centre For Tribals (RMRCT), Nagpur Road, Garha, Jabalpur.
3. Satish Kumar Vonodiya, S/o Shri H.L. Vinodiya, Asstt. RMRC, Nagpur Road, Garha, Jabalpur (MP) Respondents

**O R D E R (Oral)**

By filing this Original Application, the applicants have sought the following main relief :-

“(ii) Upon holding that the constitution of Committee by Respondent No.2 to consider the clubbing or declaring the post of SO (Estt/HQ) and SO (Stores) as one post, is bad in law, command the respondents to continue to treat the aforesaid two posts as different posts and fill up the same in accordance with law/Recruitment Rules. The applicants who are eligible to be considered under the rules be directed to be considered as per their entitlement.”

2. In this case the applicants are not challenging any particular order only they are challenging the action of the respondents whereby they have constituted a Committee on the desire of Respondent No.3 to provide promotion on the post of Section Officer without giving any opportunity of hearing to the applicants, which is contrary to the



departments own stand in the earlier round of litigation. The learned counsel for the applicants submitted that all the applicants have filed their representations before the respondents on 2.12.2005 (Annexure-A-4), which are still pending with the respondents. He further argued that the applicants will be satisfied if the respondents be directed to consider and decide the aforesaid representations of the applicant within time frame.

3. Keeping in view the facts and circumstances of the case I am of the considered opinion that the ends of justice would be met, if I direct the respondent No.1 to consider and decide the aforesaid representations dated 2-12-05 (Annexure-A-4) of the applicants within a period of 15 days from the date of receipt of a copy of this order by passing a detailed and reasoned order. I do so accordingly. The applicants are directed to supply a copy of this order along with the OA to the respondents immediately.

5. With the above directions, the OA stands disposed of at the admission stage itself.

6. The Registry is directed to always supply the copy of memo of parties along with this order while issuing the certified copy of this order to the concerned parties.

(Madan Mohan)  
Judicial Member

पृष्ठिका से ओ/ज्या.....जबलपुर, दि.....

पदि २ दि अक्टो २००५

- (1) सल्लाह दे स अक्टो २००५ ११११ हरे विगुलज, जबलपुर  
(2) आगे २००५/२००५/२३.....के काउंसल  
(3) प्रहारी २००५/२००५/२३.....के काउंसल  
(4) अक्टो २००५, २००५/२००५/२३.....के काउंसल  
सूचना एवं आवश्यक कार्यवाही हेतु

skm

उप रजिस्ट्रार

संलग्न  
२-१२-०५

२००५/२००५/२३

✓ २००५/२००५/२३  
२००५/२००५/२३  
२००५/२००५/२३