

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Applications Nos. 483/03 and 493/03

Jabalpur, this the 23rd day of June, 2004

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Mr. Madan Mohan, Judicial Member

(1) Original Application No. 483 of 2003

Mukesh Kumar
S/o Hari Prasad
Age about 27 years,
Resident of 1183, Wright Town,
Near M.L.B. School,
Jabalpur.

APPLICANT

(By Advocate - ~~Shri~~ V. Tripathi)

VERSUS

0. Union of India,
through its Secretary
Ministry of Science and Technology
New Delhi.
2. The Director,
Survey of India,
Central Circle Office,
3 14 Napier Town,
Jabalpur.
3. The District Employment Officer,
Employment Exchange,
Hathital Colony,
Jabalpur.

RESPONDENTS

(By Advocate - Shri Om Namdeo)

(2) Original Application 493 of 2003

Yashwant Kumar
S/o Late Binda Prasad
Aged about 23 years,
R/o C/o Late Tillu Varse
Near Chetna Vihar, Bilhari
Mandla Road, Jabalpur

APPLICANT

(By Advocate - ~~Shri~~ V. Tripathi)

VERSUS

1. Union of India
through its Secretary
Ministry of Science and
Technology,
New Delhi.
2. The Director,
Survey of India,
Central Circle Office,
314 Napier Town,
Jabalpur.
- 3.

3. The District Employment Officer,
Employment Exchange,
Hathital Colony,
Jabalpur.

RESPONDENTS

(By Advocate - Shri S.A. Dharmdhikari for respondents No.1 & 2
None for respondent No.3)

O R D E R (ORAL)

By M.P. Singh, Vice Chairman -

Since the issue involved in both the OAs is common and the facts and the grounds raised are identical for the sake of convenience these OAs are being disposed of by this common order.

2. By filing the OAs Nos 483/03 and 493/03, the applicants have sought the following main reliefs :-

"(ii) Direct the respondents to regularize the applicant on the post of Sweeper by giving weightage to his earlier regular services rendered with the respondents.

(iii) Direct the respondents to permit the applicant to participate in the interview/selection scheduled to be held on 23.7.2003 for the post of Sweeper".

3. Heard the learned counsel for the respondents.

4. The learned counsel for the respondents states that the OAs have become infructuous as far as relief No.(iii) wherein is concerned, the applicants have sought a direction to the respondents to permit the applicants to participate in the interview/selection scheduled to be held on 23.7.2003 for the post of Sweeper. The Tribunal has passed the following order on 22.7.2003 :-

" We find expedient necessary in the interest of justice that the applicant may be permitted to appear in the said interview which is scheduled to be held on 23.7.2003 or on any subsequent date, on provisional basis. His result shall be kept in the sealed cover".

The learned counsel for the respondents has further stated that as per the direction of this Tribunal, the applicants have been considered by the respondents for the post of Sweeper and the result of the selection has been kept in



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sealed cover. In pursuance of the interim order given by the Tribunal on 22.7.2003, the post of Sweeper ^{is} kept ~~in~~ vacant.

5. Keeping in view of factual position, we find that the applicants have already been considered for the posts which they had applied and the result of the selection is kept in the sealed cover. In the facts and circumstances of the case, we direct the respondents to open the sealed cover, in case the applicants have been recommended for appointment by the selection committee, they may be considered for appointment as expeditiously as possible. This order should be complied ^{with} within a period of 2 months from the date of receipt of copy of this order. No costs.

(Madan Mohan)
Judicial Member

(M.P. Singh)
Vice Chairman

SKM

वृत्तिका से औ/न्या.....जबलपुर, दि.....

प्रतिनिधि अर्थात् शिखर:-

(1) सचिव, उच्च न्यायालय बाग एस्टेडिएशन, जबलपुर

(2) आवेदक श्री/श्रीमती/कु.....के काउंसल

(3) प्रत्यक्षी श्री/श्रीमती/कु.....के काउंसल

(4) मध्यपाल, के.प्र.अ., जबलपुर न्यायाधीश

सज्जना एवं आवश्यक कार्यवाही हेतु

V. Tripathi
on named
S.A. Prasadhikan

Filed
on
5/7/04

Signature
S. 7. 04