

**CENTRAL ADMINISTRATIVE TRIBUNAL  
KOKATA BENCH, KOLKATA  
CIRCUIT BENCH AT PORT BLAIR**

O.A. 351/00884/2017

Date of orders : 22<sup>nd</sup> June, 2018

**CORAM**

HON'BLE MR.S.K.PATTNAIK, MEMBER (J)  
HON'BLE DR. NANDITA CHATTERJEE, MEMBER (A)

Dr. Ashok Pal Govind, S/o Late Ram Govind, C/o Narendra Lal Saha, A/R Road, P.O. Haddo, Near Rohins Eye Hospital, Delanipur, Port Blair.

.....Applicant

By Advocate : Ms. A. Nag

**Versus**

1. The Union of India service through the Secretary to Govt. of India, Ministry of Health, Govt. of India, CGO Complex, Lodhi Road, New Delhi – 110 003.
2. The Union Public Service Commission, Sang Lok Seva Ayog, Dhopur House, Shahajanah Road, New Delhi 110069.
3. The Lt. Governor [Administrator], Andaman & Nicobar Islands, Raj Niwas, Port Blair – 744101.
4. The Chief Secretary, Andaman & Nicobar Administration, Port Blair – 744101.
5. The Secretary, Andaman & Nicobar Administration, Port Blair – 744101.
6. The Director, Directorate of Health Services, Andaman & Nicobar Administration, Port Blair – 744103.
7. The Assistant Secretary [Admn.], Andaman and Nicobar Administration Andaman & Nicobar Administration, Port Blair.

..... Respondents.

By Advocates: Mr. N.A.Khan

**ORDER [oral]**

**Per Nandita Chatterjee, Member (A):-** Heard learned counsel for the applicant. The learned counsel for the respondents is also present and is heard.

2. The instant application has been filed praying for the following relief:  
“8[i] An order/orders directing the respondent authorities to appoint the applicant to the post of Medical Officer in the Directorate of Health Services, Andaman & Nicobar Administration from the date

*[Signature]*

when the candidates in the service list were appointed.

[ii] An order directing the respondent authorities to grant all consequential and monetary benefits to the applicant after appointing him as Medical Officer.

[iii] An order directing the respondent authorities to act in accordance with law.

[iv] An order directing the respondents to produce the records of the case before this Hon'ble Tribunal so that conscious-able justice may be done.

[v] Such other or further order direction or directions, as Your Lordships deem fit and proper in the interest of justice."

3. Learned counsel for the applicant submits that the applicant has represented to the respondent authorities, vide his communication dated 17.11.2016 [Annexure-A-16 to the OA], requesting for appointment to the post of Medical Officer. The learned counsel for the applicant also draws our attention to an information received on 02.12.2016 from the Public Information Officer concerned in which the posting details of all Medical Officers as recommended by UPSC has been furnished [Annexure-A-15 to the OA].

4. Learned counsel for the respondents submits that the matter of the applicant has been repeatedly taken up with the Union Public Service Commission, whose comments are still awaited. It is further submitted that a number of references have been made in this regard, the last being that dated 25<sup>th</sup> July, 2017 in which a clear recommendation has been made from the Andaman & Nicobar Administration to consider the case of the applicant for the post of Medical Officer against the recruitment of 27 posts of Medical Officers held from 30<sup>th</sup> April, 2012 and 1<sup>st</sup> May, 2012 from the reserved

*hph*

panel.

5. As the comments from UPSC are not forthcoming, as agreed to by both learned counsel, without entering into the merits of the case, we hereby direct the Respondent No.2, namely The Union Public Service Commission, Sang Lok Seva Ayog, Dhopur House, Shahajanah Road, New Delhi 110069 to send their comments on the references as made in the context of the applicant by the Andaman & Nocobar Administration, particularly the reference made on 25<sup>th</sup> July, 2017, within a period of four weeks from the date of receipt of a copy of this order.

6. As a measure of abundant caution, however, the concerned respondent authorities are also directed to take necessary steps to furnish another copy of their reference dated 25<sup>th</sup> July, 2017 to UPSC within a week of receipt of a copy of this order.

4. The OA stands disposed of accordingly. No orders on costs.

[ Dr. Nandita Chatterjee]  
Member (Admn.)  
mps/-

[S.K.Patnaik]  
Member (Judicial)