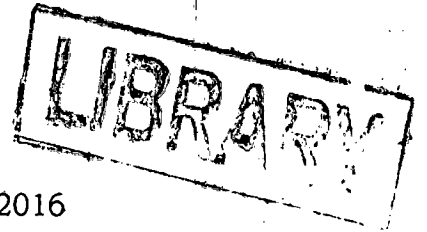


CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH



No. OA 350/00994/2016

Date of order : 26.7.2016

Present: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

SUBHAS KR. DAS & ANR.

VS

UNION OF INDIA & ORS.

For the applicants : Mr.S.K.Dutta, counsel
Mr.B.Chatterjee, counsel
For the respondents : Mr.P.K.Roy, counsel
Mr.A.K.Banerjee, counsel

O R D E R

Ms. Bidisha Banerjee, J.M.

Ld. Counsels for the parties were heard and materials on record were perused.

2 The applicants are aggrieved in regard to the period of assessment as mentioned in the notification for the post of Assistant Personnel Officer (APO)/AWO/Assistant Secretary to General Manager in Group 'B' Service against 30% quota of Personnel Department pursuant to Notice No. GMA/GS/88-(A)30%/2016 dated 15.4.16 issued by Senior Personnel Officer (G) for General Manager (P), CLW, Chittaranjan. They submitted that they have preferred detailed representations against such violation but without disposing of the said representation the respondent authorities would finalize the selection process. Hence they have come up with the present OA seeking the following reliefs :

- a) An order granting leave to the applicants under Rule 4(5)(a) of the Central Administrative Tribunals (Procedure) Rules, 1987 to move this application;
- b) An order quashing the selection notice No. GMA/GS/88-(A)30%/2016 dated 15.4.16 so far as period of Assessment is concerned upon declaration that the same is void and ultra vires for not being in conformity of the rules, laws of equality, instruction and the Constitution of India;

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- c) Any rule or instructions contrary to the principle of equality incepting seniority may be declared void and/or inoperative and non-est;
 - d) The respondent authorities may kindly be directed to act as per constitutional mandates conforming the principles of equity, equality, conscience and good sense after treating the assessment period from 14.1.13 instead of 1.4.13;
 - e) An order directing the official respondents to produce/caused production of all relevant records pertaining to the instant matter.
3. It could be noted that the representations that were preferred on 25.5.16 were in regard to 70% selection whereas the applicants are aggrieved as they apprehend they would be left out in 30% selection.
4. Therefore the OA is disposed of with liberty to the applicants to prefer a comprehensive representation to the competent authority within two weeks from the date of communication of this order which shall accordingly be disposed of within a period of 15 days thereafter. In case the applicants are found genuinely aggrieved respondents shall take appropriate steps to ameliorate their grievance within the said period.
5. It is made clear that we have not gone into the merits of the case.
6. All points are kept open for consideration by the respondents.
7. Accordingly the OA is disposed of. No order is passed as to costs.

(JAYA DAS GUPTA)
MEMBER (A)

(BIDISHA BANERJEE)
MEMBER (J)

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