

CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION No. 676 OF 2017

Dated:- 9th day of November, 2017.

***Coram: Hon'ble Shri. Arvind J. Rohee, Member (J).
Hon'ble Shri. R. Vijaykumar, Member (A).***

1. Yogesh Nivruti Tikhekar
 Occ: Student.
 R/at Room No.6 Jaitu CHS,
 New Surya Nagar, Vitawa,
 Thane Belapur Road – 400 605.
2. Sneha Gopinath Shinde
 Occu: Housewife.
 R/at Sharafali Bldg., No.3,
 Room No.8, Byculla (W),
 Mumbai 400 011.
3. Vikas Shukul Singh
 Occu: Student
 R/at Durga Sadan, Shivaji Nagar,
 Dargah Road, Mumbai 400 612. ... ***Applicants***
(By Advocate Shri A.J. Khandarkar)

Versus

Union of India,
 Through The Assistant Director of Postal
 Services (Recruitment),
 O/C Chief Post Master General,
 Maharashtra Circle, GPO
 WH Marg, Mumbai 400 001. ... ***Respondent***

ORDER (Oral)
Per : Shri A.J. Rohee, Member (J)

Today when the matter is called out for admission, neither the Applicants nor Shri A.J. Khandarkar, learned Advocate for them appeared. We have carefully perused the case record.

2. In this OA, the following reliefs are sought;

“8.a) Direct the respondents to conduct the reexamination of Paper-II i.e. Typing Test (TE) and Data Entry Test (DE) as per the directions in the order dated 31st July, 2015 within a period of 3 months and follow the further procedure immediately;

8.b) Direct the respondent to report this Hon'ble Tribunal in every 30 days about the progress of conducting the examination;

8.c) To punish the respondent for committing breach of the order passed by this Hon'ble Court dated 31st July, 2015;

8.d) To grant any other relief to which the applicants are entitled to;”

3. Few other applicants have already filed Contempt Petition since order dated 31.07.2015 passed by this Tribunal is not complied with. During hearing of said CP, it was informed by the respondents that they have already held the examination of Paper-II i.e., Typing test and Data Entry test in the last month and time till 15.12.2017 is granted to the respondents for full compliance of the order.

4. In view of this, present OA does not lie. Even otherwise, since the directions are already issued by this Tribunal in the previous OA, fresh OA seeking the same

direction for compliance is not maintainable and the appropriate remedy will be to file CP or MP for execution of the order.

5. For this reason also, the OA is not tenable and cannot be entertained. The same stands dismissed in *limine*.

(R. Vijaykumar)
Member (A)

(A.J. Rohee)
Member (J)

dm.