

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION No.780/2017

Date of Decision: 30.01.2018.

**CORAM: HON'BLE SHRI ARVIND J. ROHEE, MEMBER (J)
HON'BLE SHRI R. VIJAYKUMAR, MEMBER (A)**

1. Shrinivas Tandel S/o Soma Tandel,
R/at Mudaga, Po- Mudaga,
Taluka- Karwar, Dist. Uttar-Khann
Karnataka – 581 324.
 2. Praveen Kumar Gouda
S/o Rekha Gouda,
R/at Near Govind Dev Temple,
Po- Todur, Tq- Karwar,
Uttar- Khann, Karnataka 581 324. *Applicants*
(Advocate Shri S.G. Rajput)

Versus

1. Union of India,
The Secretary, Integrated,
Headquarters (Navy),
Ministry of Defence,
New Delhi – 110 001.
 2. The Chief of the Naval Staff,
The Integrated Headquarters (Navy),
Ministry of Defence,
New Delhi – 110 011.
 3. The Admiral Superintendent,
Naval Dockyard,
Shahid Bhagat Singh Road,
Mumbai – 400 023.
 4. The Flag Officer Commanding in Chief,
Head Quarters, Western Naval,
Command, Shahid Bhagat Singh Road,
Mumbai 400 001.

ORDER (Oral)

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

Today when the matter is called out for admission, Applicants and Shri S.G. Rajput, learned Advocate for them remained absent, without any intimation and even on repeated calls between 11.20 am to 1.30 pm.

2. In this OA, the applicants claim appointment to the post of Unskilled Labourer and the following reliefs are sought;

“8.a) Be pleased to admit the present original applicant and be pleased to give an opportunity of hearing to both the parties by issuing notice to respondents.

8.b) Be pleased to pass/issue an appropriate order of mandatory directions to the respondents to keep vacant the vacancies of 'Unskilled labourers' for the applicant as they have successfully secured the merit position in the consolidated merit list.

8.c) Be pleased to pass/issue an appropriate order of mandatory directions to the respondents to issue appointments letters to the applicants for the post of unskilled labour, group 'C' non-gazette in Naval units in India as per the Consolidated Merit List.

8.d) Be pleased to pass an appropriate order of mandatory direction to the respondents to forthwith publish the result of the candidates and grant appointment/recruitment to the qualified candidates in accordance with the Central Civil Services (Classification, Control & Appeal) Rules as well to the S.R.O. No.43 dated 18th May 2012 containing 'integrated

*Headquarters' Ministry of Defence (Navy)
Group 'C' Industrial Posts (Tradesman)
Recruitment Rules 2012.*

*8.e) Be pleased to provide the cost of the
Original Application.*

*8.f) Be pleased to pass any other order
or orders in the interest of justice."*

3. The present OA is filed on 28.09.2016.

Thereafter, the office on scrutiny has settled as many as five office objections and the learned Advocate for the Applicant was then informed vide communication dated 06.07.2017 to appear and to remove the office objections. However, nothing has been heard from the other end and hence Registry has placed this matter before this Tribunal for admission.

4. In such circumstances of the case, OA cannot proceed further in absence of applicant and his Advocate. It appears that the applicant has lost interest in the matter.

5. The record shows that in the previous group of OAs bearing Nos.343/2013, 210/2015, 517/2013 & 417/2013 decided by common order dated 19.08.2015 in which the applicants were not parties, few applicants have

challenged the said order in WP No.920/2016 and vide order dated 21.07.2016 the matter is remanded to this Tribunal. Thereafter, this Tribunal has decided the aforesaid OA afresh issuing certain directions to the respondents in the matter of appointment to the post of Unskilled Labourer. Perhaps, the present applicants are the beneficiaries of the said order and hence they did not turn up to proceed with this OA.

6. In view of this, the OA stands dismissed in default of appearance of the applicant and his Advocate at admission stage and also for failing to remove the office objections.

7. Registry is directed to forward certified copy of this order to both the parties.

(R. Vijaykumar)
Member (A)

(Arvind J. Rohee)
Member(J)

dm.