

**CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI**

ORIGINAL APPLICATION No.709/2017

Dated this 21st day of November, 2017

CORAM:HON'BLE MS. B.BHAMATHI, MEMBER (A)

Shri. Ajit Kumar Pathak

(Selected as Junior Booker), Film Division
Room No. 2228 Bldg No. 197,
Sector 6 CGS Colony,
Kane Nagar, Antop Hill,
Mumbai 400037.

...Applicant.

(Applicant by Advocate Shri. G.B. Kamdi)

Versus.

1. Union of India,

Through the Secretary
Ministry of Information & Broadcasting,
"A" Wing Shastri Bhawan, New Delhi
110115.

2. The director General,

Films Division,
Ministry of Information & Broadcasting,
24, Dr. Gopalrao Deshmukh Marg,
Mumbai 400026.

...Respondents.

O R D E R (ORAL)

Per:-Hon'ble Ms.B. Bhamathi, Member (A)

This OA has been filed by the
applicant under Section 19 of the
Administrative Tribunals Act, 1985 seeking the
following reliefs:-

“(a) This Hon'ble Tribunal
will be pleased to call for
record of the Selection
process to the post of Junior

Booker in case of the applicant and after going through its propriety and legality be pleased to direct the respondent No. 1 to consider the case of the applicant for the appointment to the post of Junior Booker with consequent relief.

(b) The Hon'ble Tribunal may please be declared the action of the respondent not considering the case of the applicant for a such long period and i.e. also after submitting grievances Petitions and legal notice, illegal, arbitrary, unconstitutional and vindictive.

(c) The Hon'ble Tribunal may please be directed for any other and further orders as this Hon'ble Tribunal may deem fit, proper and necessary in the facts and circumstances of the case.

(d) The cost of this original application be provided."

2. The case of the applicant is that he has been selected for the post of Junior Booker in the Department of Films Division. He was called for the interview on 21.12.2014 and his name was recommended by the Selection committee along with other three candidates. Applicant had scored highest marks and stood

first rank in the selection. However, other three candidates have been appointed and the name of the applicant has been referred to the R-1 for approval, where it is still, admittedly, pending. The representations of the applicant and the legal notice served by the applicant on 03.05.2017 has also not been responded to. In view of the non-action of the R-1 for nearly two years the applicant has filed the present OA.

3. Heard the learned counsel and perused the case record. Since the representations and legal notice of the applicant is pending before R-1, I deem it fit to meet the ends of justice, to direct R-2 to forward to R-1 the representations and legal notice for disposal by R-1 with a reasoned and speaking order within a period of eight weeks' from the date of receipt of certified copy of this order under intimation to the applicant. If the applicant is still aggrieved by the order, he may seek appropriate judicial remedy. All legal pleas, including the issue of delay, if any, is kept open.

4. Accordingly, the OA stands disposed

of at admission stage. No costs.

(Ms. B. Bhamathi)
Member (A)

srp