

**CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH
CIRCUIT BENCH AT RANCHI
OA/051/00459/18**

Date of Order: 10/09/2018

C O R A M
HON'BLE MR. A.K. PATTNAIK, MEMBER[J]
HON'BLE MR. PRADEEP KUMAR, MEMBER[A]

Nitish Raj Singh , Applicant.

-By Advocate: - Mr. M.A. Khan

-Vrs-

Union of India & Ors. Respondents.

-By Advocate - Mr. Prabhat Kumar

O R D E R
[ORAL]

Per Mr. A.K. Pattnaik, J.M.:- This OA has been filed by the applicant under Section 19 of the Administrative Tribunal Act, 1985 with the following prayers:-

- “(i) To quash the list dated 24.03. 18 (Annexure:4) in respect of the applicant.
- “(ii) To direct the respondents to include the name of the present applicant as eligible candidate for apprenticeship in Bokaro Steel Ltd. by considering the family no. 206 should be read as family no. 207/1 by expunging the remarks.

(iii) Any other orders/s, direction/s as Your Lordships may deem fit & proper in the interest of justice.”

2. The sum and substance of the dispute is that the applicant happens to be the dependent son of his father whose land was acquired by respondents for factory. In this connection, the application was invited by the respondents for descendent dependents of land looser for apprenticeship training as per the said act and the applicant applied for the same, passed the examination but his name was not figuring in the selected candidates on the ground that the wrong information has been submitted by the applicant regarding family no. which was 206, but subsequently like other dependents the correction was done by the respondent no. 3 as family no. 207/1; hence the family no. 206 was treated as 207/1 and the same was communicated to respondent no. 2 by respondent no. 3 vide his letter dated 3.4.2018 with reference to letter dated 30.01.2018 along with annexure of corrected numbers, but respondents without application of mind published the list of eligible candidates on 24.03.2018 where the name of the applicant was not present and on the same hand on the same date, i.e. 24.03.18 they also published the name of rejected candidates where the name of the applicant has been indicated at Sl. No. 2396 with remarks “Wrong information given by the applicant “, but the same is incorrect and beyond the record.

3. On being questioned as to why the applicant has approached any higher authority, the learned counsel for the applicant fairly submitted that apprehending some coercive action the applicant rushed to the Tribunal by filing the instant OA. He has, therefore, prayed liberty of this Tribunal to approach the Appellate Authority under the rules.

4. Therefore, without entering into the merit of the case, we grant liberty to the applicant to file an appeal before the Appellate Authority within a period of two weeks from the date of receipt of this order and in case any such appeal is preferred the Appellate Authority will consider the same as per the merit without entering into the limitation/delay in filing the appeal.

5. Although we have not expressed any opinion on the merit of the case, we hope and trust that after such consideration if the grounds set forth by the applicant in his appeal memo to be preferred are found to be genuine the Appellate Authority will consider the same and give proper relief to the applicant as per law within a period of four weeks of receipt of such appeal.

6. With the aforesaid observations and directions, this OA is disposed of. The applicant is granted liberty to submit a copy of this order along with appeal memo to be preferred before the Appellate Authority.

[Pradeep Kumar]/M[A]

[A.K. Pattnaik]/M[J]

Srk.