

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

COURT NO. : 1

22/02/2019

O.A./260/118/2019

M.A./260/164/2019

FOR JT. PETITION, WITH IP, ON
MEMO

ITEM NO:4

FOR APPLICANTS(S) Adv. : Mr. M. Basu

FOR RESPONDENTS(S) Adv.: Mr. S.B. Mohanty

L GOPINATH PATTANAIK & OTHERS

-V/S-

NEHRU YUVA KENDRA SANGATHAN (NYKSO), M/O
YOUTH AFFAIRS AND SPORTS

Notes of The
Registry

Order of The Tribunal

Heard Learned Counsels for the applicant and respondents.

The applicants have filed M.A. No.164/19 under the rule 4 (5) for prosecuting the case jointly. As the cause of action is similar, the M.A. is allowed.

Ld. Counsel for the Applicants submitted that the applicants are working at Nehru Yuva Kendra on outsourcing basis against sanctioned posts of Nehru Yuva Kendra through service provider i.e., Respondent No.5. Recently the Nehru Yuvak Kendra has issued an advertisement at Annexure-A/5 of the O.A. for regular filling up of the posts of MTS and the applicants are not eligible for applying for the said post for MTS for direct recruitment although they have experience. It is submitted by the learned counsel that they have submitted

representation dated 20.12.2018 (Annexure-A/6) to Respondent No.2 for consideration of their case. Ld. Counsel for the Respondents submitted that applicants are not direct employees of the Nehru Yuvak Kendra and they are working on outsourced basis.

In view of the limited prayer made by the learned counsel for the applicants for disposal of pending representation dated 20.12.2018 (Annexure-A/6), the O.A. is disposed of at this stage, without expressing any opinion about jurisdiction of this Tribunal and admissibility of the claims of the applicants in their representation on merit of the case, with a direction to Respondent No.2 to consider the said representation dated 20.12.2018 (Annexure-A/6) as per the provisions of the applicable rules and law and inform the decision taken in the matter to the applicants within two months from the date of receipt of this order.

The O.A. is disposed of accordingly with no order as to cost.

Copy of this order along with paper books be sent to Respondent No.2 at the cost of the applicant for which Ld. Counsel for the applicant agrees to file the postal requisites by 25.02.2019.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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